



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1329 Fax: (207) 439-6806

WORKSHOP

6:00 P.M.

The Town Council will meet with the Town Manager, Rice Library Committee and the Rice Public Library Trustees to:

- Receive a final report from the Rice Library Committee
- Discuss the next steps with the Rice Public Library Trustees

September 26, 2016

Kittery Town Council
Regular Meeting
7:00 p.m.

Council Chambers

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call
5. Agenda Amendment and Adoption
6. Town Manager's Report
7. Acceptance of Previous Minutes – 8/8/16 & 9/12/16 Regular Meeting(s)
8. Interviews for the Board of Appeals and Planning
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.
10. PUBLIC HEARINGS
 - a. (090416-1) The Kittery Town Council moves to hold a public hearing to ordain amendments to Title 2 Administration and Personnel of the Kittery Town Code.
 - b. (090416-2) The Kittery Town Council moves to hold a public hearing to ordain amendments to Title 10 Vehicles and Traffic of the Kittery Town Code.
11. DISCUSSION
 - a. Discussion by members of the public (three minutes per person)
 - b. Response to public comment directed to a particular Councilor
 - c. Chairperson's response to public comments

12. UNFINISHED BUSINESS

13. NEW BUSINESS

a. Donations/gifts received for Council disposition

(090416-3) The Kittery Town Council moves to accept a donation in the amount of \$60.00 from Kenneth M. Bonnell for the Thresher Memorial Fund to be deposited in account #5007-43600Thresher Memorial Fund.

(090416-4) The Kittery Town Council moves to accept a donation in the amount of \$4,500 from the Kittery Block Party Committee for the Community Center to be deposited in account #2063-43600 KCC Fund Raising Account.

(090416-5) The Kittery Town Council moves to accept a donation of \$25,181.45 for Rectangular Rapid Flashing Beacons from Yankee Parks and approves the installation of the RRFB at the suggested locations at a cost not to exceed the gift amount.

b. (090416-6) The Kittery Town Council moves to approve the disbursement warrants.

c. (090416-7) The Kittery Town Council moves to amend the Job Classification Plan and adopt the proposed job description for the Human Resources Director.

d. (090416-8) The Kittery Town Council moves to amend the Job Classification Plan and adopt the proposed job description for the Shoreland Resource Officer/Stormwater Coordinator.

e. (090416-9) The Kittery Town Council moves to approve a renewal application from Kittery Foreside Inc., 60 Wallingford Square, Kittery for a Malt, Spirituous and Vinous Liquor License for Anneke Jans, 60 Wallingford Square.

f. (090416-10) The Kittery Town Council moves to approve a one day extension of the service area of the premises externally on the current liquor license for The Black Birch, from 12:00 p.m. to 10:00 p.m. on October 23, 2016, for the Fuel & More annual fund raiser.

g. (090416-11) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Parks Commission to interview George Dow for his appointment to that board as an associate member until 12/31/19.

h. (090416-12) The Kittery Town Council moves to authorize Fuel & More to hang a banner across Rogers Road from September 26th to October 23rd, 2016 to advertise their fund raiser event at the Black Birch.

i. (090416-13) The Kittery Town Council moves to authorize the Traip Athletic Boosters to hang a banner across Rogers Road from November 1st to November 12th, 2016 and to place signs throughout town from October 31st to November 12th, 2016 to advertise the 8th Annual Traip Athletic Boosters Craft Fair.

j. (090416-14) The Kittery Town Council moves to schedule a date for a Sewer Assessment Hearing

k. (090416-15) The Kittery Town Council moves to sign the Municipal Warrant for the November 8, 2016, Municipal Election.

14. COUNCILOR ISSUES OR COMMENTS
15. COMMITTEE AND OTHER REPORTS
 - a. Communications from the Chairperson
 - b. Committee Reports

16. EXECUTIVE SESSION

(090416-18) The Kittery Town Council moves to go in to executive session with the Town Manager in accordance with 1 M.R.S §405 (6) (A) to discuss a personnel matter.

17. ADJOURNMENT

Posted: September 22, 2016

1 Town Council Workshop - Options for Rice public Library

2
3 September 26, 2016, 6 PM, Council Chambers, Kittery Town Hall

4
5 Responsible Councilors: Judy Spiller, Russell White

6
7 Agenda

8
9 1. Receive with final report and any recommendations from Kittery Library
10 Committee and decommission the Committee with thanks.

11
12 2. Review Outstanding Issues

13
14 Need: While there appears to be strong community support for the Rice
15 Public Library (RPL) and the services it provides the Town and agreement on
16 the current facility's inadequacies, the Rice Public Library Board of Directors
17 (RPLBD) and the Town Council have been unable to agree on next steps with
18 respect to location and funding.

19
20 The Rice building will soon require expensive major repairs. The building is
21 not ADA compliant, and because of accessibility and space limitations, the
22 Library staff is saddled to running two facilities. The Rice structure is costly
23 to maintain and heat. It lacks the technology now assumed as part of a typical
24 town library. At the same time, use continues to grow because of expanded
25 inter-library loan options, popular children's programming and other mainly
26 cultural or public awareness events in the Rice building.

27
28 Moving ahead requires agreement between the RPLBD and Town Council on
29 RPL's place within the Town governance structure, its site location, and the
30 sources of funding. Without agreement, the RPLBD must decide whether to
31 return to its original model of conducting its own fund raising and site
32 location.

33
34 2.A. Relationship between the RPL and the Town

35
36 The RPL is an independent 401 (c) (3) non-profit); yet it receives over 90%
37 of its operating funds from the Town. It has been suggested that if the Library
38 were part of the municipal government as is the case in Portsmouth, funding,
39 siting, and building maintenance would be greatly simplified. But, of course,
40 such action would result in costs to the Town, and loss of autonomy for the
41 RPLBD.

42
43 Action: Request that the Town Manager and RPL Director analyze
44 immediately the costs and related matters associated with the RPL becoming a
45 Town Department and report their findings to the Town Council and the
46 RPLBD by the end of October.

2.B. Facility Location

The RPLBD has explored expanding on its concurrent site to add Walker building functions and an elevator. It concluded that it would be more costly than to build a new facility. It looked at available sites in the Town and found none that met their needs. Finally, it has developed several the proposals for location at the KCC. It should be noted that the library was part of the Frisbee Revitalization Committee's early planning but opted not to participate. The RPLBD has invested considerable funds and time in developing the current design and site plan for location directly in front of the KCC.

There are strong proponents for keeping the Library in the Foreside; strong proponents for moving it to the KCC. Questions remain about each option, and each has its pros and cons.

2.B.1. Add-on and renovate the existing facility

Pros:

- RPL continues as Foreside anchor
- Could include a parking garage which ultimately might offset some cost of construction
- Keeps the historic Rice Building as a Town asset
- Provide new space for programming that would draw a walking population
- New space fully accessible as well as some of the original structure
- New space with updated technology
- New space energy efficient and main structure efficiency enhanced

Cons

- Rice core building issues remain
- Parts still not ADA compliant
- Multilevel facility would present staffing and security challenges
- RPL would have to found construction of a parking garage if there were one and then have to run a parking garage
- Expansion would require zoning variances

2.B.2. Locate at KCC

Pros:

- Creates synergies with current KCC users and activities
- Brings more people to KCC
- Centralizes Town amenities
- Expands children and teen-age library services
- Adds meeting and reading spaces
- Allows construction of a energy efficient structure

- Central library circulation desk allows for improved security and a reduction in staffing

Cons

- Likely loss of the Rice Building as a Town asset
- Finding a site without affecting current playing fields, parking, Frisbee building sightlines challenging
- Privately-controlled structure on Town property raises governance and use issues

2.B.3. Locate elsewhere

Pros:

- Frees Library to pursue its current design plan

Cons:

- Good options have yet to emerge
- Loss of historic Rice building as a Town asset

2.C. Funding

The RLBD originally intended to raise funds for a new library construction on its own. It has recently proposed that the bulk of funding come from a Town bond with additional money from the sale of the Rice and Taylor buildings.

A group is now looking at options for keeping the Rice Building, including possibly using it as a museum, a discovery center or some other public use. Whoever assumes the building will be faced with the same maintenance and accessibility issues of a 19th century building that the RLBD faces. It seems unlikely that the Town would assume that burden, even more unlikely if residents were to approve a bond for new library construction.

There appear to be three funding options:

2.C.1. The RLBD runs a major capital campaign and builds a new library without Town capital funding.

2.C.2. The Rice library becomes a Town Department and funding becomes part of the town's capital improvement.

2.C.3. The Town Council approves a ballot question for a bond, and the Town residents vote in favor of that bond.

3. Next Steps

137 Form a small working group of three RPLBD representatives and three Kittery
138 Town Councilors. The charge would be to address and make recommendations
139 in three areas:

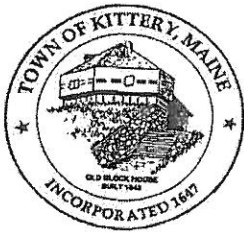
- 140
- 141 1. Feasibility of RPL becoming a Town Department, based on Town Manager
142 and RPL Director assessment of costs;
 - 143 2. Location options, including RPL locating on Town property; and
 - 144 3. Town funding options.

145

146 The outcomes of this working group would be represented to the RPLBD and the
147 Town Council by _____.

148

149 09.14.16



TOWN OF KITTERY

Office of the Town Manager

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806

cgranfield@kitteryme.org

Carol M. Granfield
Interim Town Manager

Town Manager's Report to the Town Council September 21, 2016

1. **Sewer Better Assessments** – Several departments have been significantly involved with moving forth the sewer assessment process to include scheduling upcoming meetings, establishing payment systems to be put in place and educating the residents on the various processes, timelines, and requirements. Full payments are now being accepted as well as payment plans generated. Various deferral options continue to be explained and will begin to be reviewed.
2. **CGI Communications** – I was contacted by this company that produces a series of professionally produced online videos to highlight everything in communities offer residents, visitors and business owners. The video is interfaced on the official town website and would provide an excellent introduction to the Town of Kittery. Several communities all over the country use CGI and there is no cost to the town. York County and several Maine cities and towns. I will be providing the information to the new Town Manager who may desire to pursue this opportunity in the spring or summer of 2017.
3. **Title 4 Committee** – I have a committee meeting scheduled to continue working on amendments to this, which will continue with the new Town Manager
4. **Transition** – I am working on an in-depth transition with the new Town Manager that will take place the week of October 24. I will also be providing the new Manager prior to her arrival various information that will be helpful in addressing upcoming items, along with updated information pertaining to the Finance Director position.
5. **Traffic** – We continue to address any traffic issues associated with the bridge closing, detours, and PNSY traffic issues with MDOT, Police and Public Works departments. One recent light timing issue at Haley Road to Route 1 required the replacement of a sensor, which resulted in an improvement.

Respectfully Submitted,

Carol

Carol M. Granfield

1 1. Call to Order

2 Chairperson Beers called the meeting to order at 7:01 p.m.

3 2. Introductory

4 Chairperson Beers read the introductory.

5 3. Pledge of Allegiance

6 Chairperson Beers led those present in the Pledge of Allegiance.

7 4. Roll Call

8 Answering the roll call were Chairperson Gary Beers, Vice Chairperson Charles Denault,
9 Councilors Frank Dennett, Kenneth Lemont, Judith Spiller, and Jeffrey Thomson.

10 Absent from the roll call was Councilor Russell White.

11 5. Agenda Amendment and Adoption

12 Chairperson Beers requested that Item 10a be revised to read as follows: "The Kittery Town
13 Council moves to hold a public hearing and hereby resolve to be governed by the provisions of
14 Title 21-A §696-2c and Title 21-A §722-A for determining and counting write-in votes."

15 Chairperson Beers requested that Item 13c be revised to read as follows: "The Kittery Town
16 Council moves to endorse the Town Manager's recommendation for the Assessment Appeal
17 Arbitration Process/Policy."

18 Chairperson Beers requested to withdraw Item 16 per Town Manager Granfield's request.

19 Chairperson Beers requested to add Item 13h, per the Finance Director's request, to read as
20 follows: "The Kittery Town Council moves to schedule a public hearing IAW Section 6.09 para.
21 4 of the Kittery Town Charter to transfer appropriations between accounts and carry forward
22 requests."

23 Agenda was adopted, as amended.

24 6. Town Manager's Report

25 Town Manager Granfield reviewed her written report.

26 **Personnel Items** – Interviews are ongoing for the Kittery Commissioner of Public Works and
27 Police Lieutenant open positions. The existing Shoreland Resource Officer will perform on a
28 full-time basis effective August 15, 2016. The assistant to the Police Chief is converting from
29 full-time to part-time effective September 1, 2016. The Harbormaster resigned effective the end
30 of September and Assistant Harbormaster in August. The Kittery Port Authority and Town staff
31 will assist with that rehiring process. A meeting will be scheduled with the Personnel Committee
32 to discuss job descriptions to include Human Resources Manager, Harbormaster and others.

33 **Sewer Betterments** – Various materials have been provided to the Town Council for the

**TOWN COUNCIL MEETING
COUNCIL CHAMBERS**

**UNAPPROVED
AUGUST 8, 2016**

34 upcoming meeting and the auditor is currently performing a review. The information regarding
35 the two easements referenced in the last meeting identified no additional costs.

36 **Channel 22** – Staff is working with Comcast to have service at various locations and with the
37 Kittery Community Service to make available an open studio. The intent is to expand the
38 program to include another station. In the interim, the Town welcomed any new programs.

39 **John Paul Jones Park** – The revised maintenance agreement has still not been received and
40 staff continues to monitor that.

41 **Parking Meeting** – Letters will be sent to invite citizens to a meeting on August 23, 2016 at
42 Traip Academy discuss options and seek input regarding parking availability in the Foreside. An
43 intern has collected data in the area to assist with formulating options.

44 **Retirement** – A retirement party for Commissioner of Public Works, Norman Albert, will be
45 held on Thursday, August 25, 2016 from 3:00-5:30pm at the Kittery Community Center.
46 Employees, Town Council, and the public invited to wish him the best.

47 **Volunteer Citizen Panel Recruitment** – The consultant coordinating the volunteer citizen panel
48 applications for the new Town Manager position encouraged anyone interested to apply.

49 **Employee Recognition – Service Awards** – This program was initiated by employees and
50 began July 1st to recognize dedicated citizens. Town Manager Granfield provided a brief
51 background and explanation for the program, then proceeded to announce awards to eleven
52 employees.

53 Councilor Spiller suggested that the Town's list-serv be used to send a message to request citizen
54 volunteers for the Town Manager search.

55 7. Acceptance of Previous Minutes

56 Special Meeting – May 16, 2016
57 The minutes were adopted as presented.

58 Special Meeting – May 25, 2016
59 The minutes were adopted as presented.

60 Regular Meeting – July 25, 2016
61 Line 69 – insert “not” between “2.00%” and “be”
62 Line 267 – replace “501(3)(c)” with “501(c)(3)”
63 Line 407 – replace “parties” with “party”
64 Line 455 – add “law” after “State of Maine”
65 Line 523 – replace “Sean” with “Shawn”
66 Line 543 – replace “Whit” with “White”

67 The minutes were adopted, as amended.

68 8. Interviews for the Board of Appeals and Planning – None.

69 9. All items involving the town attorney, town engineers, town employees or other town
70 consultants or requested officials.

**TOWN COUNCIL MEETING
COUNCIL CHAMBERS**

**UNAPPROVED
AUGUST 8, 2016**

a. (080116-4) The Kittery Town Council moves to discuss the next steps for the Rice Public Library proposal.

Councilor Thomson and Vice Chairperson Denault expressed interest in receiving further information before providing their input.

Councilor Spiller stated her concerns for the proposed development and its potential negative impact on the visual appearance of the Kittery Community Center. She doubted the ability to support a 20,000 s.f. sized building.

Councilor Lemont echoed Councilor Spiller's remarks. He voiced concerns regarding the location, proposed size, and directing the Rice Library in their planning process. Chairperson Beers responded that the Council's purview includes responding 'yay' or 'nay' to the proposal and decide whether a referendum vote for citizens is in order.

Chairperson Beers regrettably agreed with Councilor Spiller and Councilor Lemont. He explained in detail his concerns regarding the preservation of the historical building and the financial outlook based on budgetary constraints. He stated his support for a non-binding referendum ballot vote to field the interest of the citizens. Vice Chairperson Denault added that a referendum vote would generate a strong message for Council.

Councilor Thomson provided personal insight to emphasize that he was primarily concerned with the process of planning future library services in the community. He felt that concerns regarding the ownership, financing, and operations should be addressed before planning the development.

Vice Chairperson Denault reiterated that voters could help to clarify several decisions given the amount and various issues raised. Councilor Spiller questioned the effectiveness of a referendum vote and suggested that workshops be held. Further deliberations were had on the value of a referendum vote with consideration of; adding another question in the ballot, specific phrasing of the question, and providing financial considerations.

Chairperson Beers and Councilor Thomson suggested that a working group be formed to identify lingering questions from the Council and various options for presentation to the Rice Library.

10. PUBLIC HEARINGS

a. (080116-2) The Kittery Town Council moves to hold a public hearing and hereby resolve to be governed by the provisions of Title 21-A §696-2c and Title 21-A §722-A for determining and counting write-in votes.

Chairperson Beers opened the public hearing.

Ms. Karen Estee, Deputy Town Clerk, explained the intent of the resolution is to be consistent with Title 21 in that only declared write-ins would be counted, as opposed to all write-in votes.

Chairperson Beers closed the public hearing.

A MOTION WAS MADE BY COUNCILOR THOMSON BE RESOLVED TO BE GOVERNED BY THE PROVISIONS OF TITLE 21-A §696-2C AND TITLE 21-A §722-A FOR DETERMINING AND COUNTING WRITE-IN VOTES, SECONDED BY

109 **COUNCILOR SPILLER.**

110 Ms. Estee confirmed to Councilor that the resolution only pertains to local elections of elected
111 officials, which is School Committee and Town Council, to count declared write-in candidates
112 only. She added that without adopting the resolution, staff would continue to count the
113 undeclared votes.

114 **THE MOTION PASSED BY A ROLL CALL VOTE 5/1/0 WITH COUNCILOR**
115 **DENNETT OPPOSED.**

116 b. (080116-1) The Kittery Town Council moves to hold a public hearing and hereby
117 ordains amendments to Title 13 of the Kittery Town Code.

118 Chairperson Beers opened the floor for public comment.

119 Kathy Hawkes, 16 Stevenson Road

120 Ms. Hawkes referenced typographical and formatting errors in Section 13.1.1.7. She highlighted
121 major concerns as follows:

- 122 ■ The definition of 'premises' is not clear as to whether it pertains to the parcel or physical
123 building. The prior text suggested that it is the parcel.
- 124 ■ The language of 'or connected to the system' appears problematic since parcels that are
125 not required to connect to sewer would still have water meter readings, thus, accrue fees.
- 126 ■ The quarterly processing costs should not be charged to a parcel not connected.

127 Tricia Robillard, Martin Road

128 Ms. Robillard asked that the age of a system eligible for deferment should be increased from the
129 proposed 10 years to at least between 15-20 years, since newer septic systems have longer
130 lifespans. She suggested that if a resolution cannot be seen before the next voting, then a non-
131 binding referendum vote may help to decide how the Town will cover the project costs.

132 Cheryl Dickinson

133 Ms. Dickson asked whether past projects that charged residents nothing was calculated into the
134 determined historical average.

135 Chairperson Beers closed the public hearing.

136 Chairperson Beers cited verbiage from Section 13.1.1.11c to explain that it is an actual fact
137 requirement. At some point when the system fails, the property owner of a bettered property
138 would be required to make connection to the system.

139 Chairperson Beers referenced another statement that explained the qualifying conditions for low-
140 income deferment.

141 **A MOTION WAS MADE BY VICE CHAIRPERSON DENAULT TO ORDAIN**
142 **REVISIONS TO TITLE 13 OF THE KITTEY TOWN CODE AS FOLLOWS,**
143 **CHAPTER 1 ARTICLE 1 IN GENERAL, ARTICLE 5 MAIN EXTENSIONS, ARTICLE**
144 **6 NEW SEWER SERVICE CONNECTION FEES, AND CHAPTER 13.2 SEWER**
145 **SERVICE DECISION APPEALS, AS AMENDED, SECONDED BY CHAIRPERSON**
146 **BEERS.**

147 Councilor Dennett thought the packet presented was incomplete and stated his opposition to the

148 vote.

149 Councilor Thomson felt uncomfortable in voting without having financial information from the
150 auditing firm.

151 Councilor Lemont questioned where the answers to the financial impact exists and felt that
152 questions raised by Councilor Dennett were left unanswered.

153 Consensus was had that 50% of median income be the threshold for deferment.

154 **A MOTION WAS MADE BY CHAIRPERSON BEERS TO POSTPONE TO A MEETING**
155 **ON AUGUST 15, 2016, SECONDED BY VICE CHAIRPERSON DENAULT. THE**
156 **MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.**

157 11. DISCUSSION

158 a. Discussion by members of the public (three minutes per person)

159 Wallace "Bud" Gerry, 27 Route 236

160 Mr. Gerry noted that his request from the last Council meeting had still not been addressed.

161 Chairperson Beers requested that Town Manager Granfield follow through with the request.

162 Jennifer Taylor, Martin Road

163 Ms. Taylor questioned how some people would be able to afford the proposed fees. She inquired
164 on how the calculated average of about \$9,000 was derived at since she determined roughly
165 \$6,000. She mentioned that some other Towns do not have betterment fees whatsoever.

166 Kathy Hawkes, Martin Road

167 Ms. Hawkes felt that there still exist questions and concerns to address.

168 Whitney Gale, Martin Road

169 Mr. Gale noted there is a large difference between installment fees he understands from his
170 experience and the proposed installment fee from the Town.

171 Tricia Robillard, Martin Road

172 Ms. Robillard felt that Council needs to revise the ordinance. She did not support incorporating
173 costs of past projects. She hoped that in future projects of this nature should require a 60%
174 majority vote from the citizens.

175 b. Response to public comment directed to a particular Councilor – None.

176 c. Chairperson's response to public comments

177 Ms. Taylor – The calculations were a relative comparison based on inflation. The current
178 proposed plan is approximately \$1,422,000, which equals an average for properties an acre or
179 less at about \$5,200.

180 Ms. Hawkes & Ms. Robillard – Those statements were echoed and Chairperson Beers agreed
181 that the process be immortalized.

182 Mr. Gale – The entire project costed \$7.65 million and the state law has required that 50% of that

183 be paid by bettered property owners. The revised revenue profile would reduce total fees to
184 \$1,422,000 and any further reduction from that would jeopardize the Town's financial situation.
185 It would be necessary to have assurance of additional projected revenues before reducing it
186 further.

187 12. UNFINISHED BUSINESS – None.

188 13. NEW BUSINESS

189 a. Donations/gifts received for Council disposition – None.

190 b. (080116-4) The Kittery Town Council moves to approve the disbursement warrants.

191 Town accounts payable of \$287,683.95.

192 Sewer account payable of \$5,189.70.

193 School accounts payable of \$13,103.34.

194 School accounts payable of \$461,678.84.

195 Total of all disbursement warrants of \$1,262,655.83.

196
197 Councilor Dennett stated that the Town and Sewer warrants are in order. Councilor Lemont that
198 the School warrants are in order.

199 **A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE THE**
200 **DISBURSEMENT WARRANTS, SECONDED BY COUNCILOR SPILLER. THE**
201 **MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**

202 c. (080116-4) The Kittery Town Council moves to endorse the Town Manager's
203 recommendation for the Assessment Appeal Arbitration Process/Policy.

204 **A MOTION WAS MADE BY COUNCILOR THOMSON TO ENDORSE THE TOWN**
205 **MANAGER'S RECOMMENDATION FOR THE ASSESSMENT APPEAL**
206 **ARBITRATION PROCESS/POLICY, SECONDED BY COUNCILOR SPILLER.**

207 Councilor Dennett asked the difference between the arbitrator's panel forum versus arbitrator
208 appointment, which was answered as when an official is selected for nomination.

209 Councilor Dennett asked to clarify the meaning of a cognizant municipal department heads.

210 **THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.**

211 d. (080116-5) The Kittery Town Council moves to approve amendment to Appendix A
212 of the Kittery Town Code.

213 **A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE AMENDMENT**
214 **TO APPENDIX A OF THE KITTERY TOWN CODE, SECONDED BY VICE**
215 **CHAIRPERSON DENAULT.**

216 Councilor Dennett suggested that at lines 47-49 it indicate that new entrance connection fees be
217 established based on per-unit basis for residences or based on per-occupancy basis for non-
218 residential structures.

219 **THE MOTION WAS AMENDED. THE MOTION PASSED BY A UNANIMOUS ROLL**

220 **CALL VOTE 6/0/0.**

221 e. (080116-6) The Kittery Town Council moves to approve an application from Cork
222 Distributors Inc., 12 MacDougal Street, Kittery, Maine for a Malt, Spirituous and Vinous Liquor
223 License for For the Love of Food & Drink, 120 Rogers Road.

224 **A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE AN**
225 **APPLICATION FROM CORK DISTRIBUTORS INC., 12 MACDOUGAL STREET,**
226 **KITTERY, MAINE FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE**
227 **FOR FOR THE LOVE OF FOOD & DRINK, 120 ROGERS ROAD, SECONDED BY**
228 **COUNCILOR SPILLER. THE MOTION PASSED BY A UNANIMOUS ROLL CALL**
229 **VOTE 6/0/0.**

230 f. (080116-7) The Kittery Town Council moves to appoint a representative to meet with
231 the Chair of the Port Authority to interview Charles C. Patten for his appointment to that board
232 until 8/31/18.

233 **A MOTION WAS MADE BY COUNCILOR DENNETT TO APPOINT COUNCILOR**
234 **WHITE TO MEET WITH THE CHAIR OF THE PORT AUTHORITY TO INTERVIEW**
235 **CHARLES C. PATTEN FOR HIS APPOINTMENT TO THAT BOARD UNTIL 8/31/18,**
236 **SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION PASSED BY A**
237 **UNANIMOUS VOICE VOTE 6/0/0.**

238 g. (080116-8) The Kittery Town Council moves appoint a representative to meet with the
239 Chair of the Board of Assessment Review to interview Mary Thron for her appointment to that
240 board as an alternate member until 12/31/19.

241 **A MOTION WAS MADE BY COUNCILOR SPILLER TO APPOINT VICE**
242 **CHAIRPERSON DENAULT TO MEET WITH THE CHAIR OF THE BOARD OF**
243 **ASSESSMENT REVIEW TO INTERVIEW MARY THRON FOR HER APPOINTMENT**
244 **TO THAT BOARD AS AN ALTERNATE MEMBER UNTIL 12/31/19, SECONDED BY**
245 **COUNCILOR DENNETT. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE**
246 **6/0/0.**

247 h. (080116-9) The Kittery Town Council moves to schedule a public hearing IAW
248 Section 6.09 para. 4 of the Kittery Town Charter to transfer appropriations between accounts and
249 carry forward requests.

250 **A MOTION WAS MADE BY COUNCILOR THOMSON TO SCHEDULE A PUBLIC**
251 **HEARING ON THE SUGGESTED DATE IAW SECTION 6.09 PARA. 4 OF THE**
252 **KITTERY TOWN CHARTER TO TRANSFER APPROPRIATIONS BETWEEN**
253 **ACCOUNTS AND CARRY FORWARD REQUESTS, SECONDED BY CHAIRPERSON**
254 **BEERS. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**

255 **14. COUNCILOR ISSUES OR COMMENTS**

256 Councilor Thomson asked whether the suggestion at the last meeting regarding a turning lane at
257 PNSY Gate 2 was reviewed. Town Manager Granfield responded that the Police Chief and the
258 Commission of DPW have not yet addressed the next steps for that.

259 Councilor Thomson referenced a follow-up letter from the Police Chief responding to his
260 concerns stated in the June 13, 2016 meeting about New Hampshire license plates and vehicle
261 registrations.

262 Vice Chairperson Denault thanked Town Manager Granfield assisting with coordination of the
263 paint striping and thanked the Police Chief for the speed circle at Memorial Circle.

264 Councilor Lemont complemented Town Manager Granfield for the improved situation at the
265 Kittery Point bridge.

266 15. COMMITTEE AND OTHER REPORTS

267 a. Communications from the Chairperson

268 A workshop is scheduled for August 22, 2016 at 6:00pm with the Parks commission to discuss
269 passes, drones, and dogs.

270 The Wood Island Concession Revision has been accepted by the Program Manager's attorneys.

271 Documentation was provided regarding arbitration assessment and arbitrator appointment.

272 In response to a previous public comment regarding a recent paving project, the surface paving
273 was paid for by DPW and under paving paid for by the sewer project. There was no natural gas
274 installation activity. Unitil had to uncover gate valves that were paved over.

275 Once Council adopts an assessment plan scheduled for August 15, 2016, a 30-day notice process
276 would commence and a public hearing be scheduled for most likely on September 19, 2016.
277 From that point, notices will be sent for connection requirements.

278 b. Committee Reports – None.

279 16. EXECUTIVE SESSION – None.

280 17. ADJOURNMENT

281 **A MOTION WAS MADE BY COUNCILOR THOMSON TO ADJOURN THE MEETING**
282 **AT 8:42 P.M., SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION**
283 **PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**

284 Submitted by Marissa Day, Minutes Recorder, on August 17, 2016.

285 *Disclaimer: The following minutes constitute the author's understanding of the meeting. While*
286 *every effort has been made to ensure the accuracy of the information the minutes are not intended*
287 *as a verbatim transcript of comments at the meeting, but a summary of the discussion and*
288 *actions that took place. For complete details, please refer to the video of the meeting on the*
289 *Town of Kittery website at <http://www.townhallstreams.com/locations/kittery-maine>.*

1 1. Call to Order

2 Chairperson Beers called the meeting to order at 7:01 p.m.

3 2. Introductory

4 Chairperson Beers read the introductory.

5 3. Pledge of Allegiance

6 Chairperson Beers led those present in the Pledge of Allegiance.

7 4. Roll Call

8 Answering the roll call were Chairperson Gary Beers, Vice Chairperson Charles Denault,
9 Councilors Jeffrey Thomson, Russell White, Kenneth Lemont, and Judith Spiller.

10 Absent from the roll call was Councilor Frank Dennett.

11 5. Agenda Amendment and Adoption

12 Chairperson Beers stated that Councilor Dennett requested Item 9 be postponed to the next
13 regular meeting.

14 Chairperson Beers requested that Item 13g be moved to Item 9.

15 Chairperson Beers requested that Item 13c, Item 13d, and Item 13k insert the phrase “for a term
16 effective this date” after the words “Directors”, “Authority”, and “member”, respectively.

17 Agenda was adopted as presented.

18 6. Town Manager’s Report

19 Town Manager Granfield reviewed her written report.

20 **Tax Rate Adjustment** – Council will consider adjusting the tax rate for fiscal year 2017 in the
21 present meeting. Information provided by the Assessor will help to set a reasonable tax rate.

22 **Police Lieutenant** – The Town has hired a new police lieutenant named Westbrook police
23 detective Sgt. John Desjardins and will begin his position on October 3, 2016. The position has
24 been vacant for some time and has followed a lengthy process.

25 **Personnel Board** – After meeting with the Personnel Board regarding the status of positions, it
26 was noted that the Board has not been recently active and it was questioned whether the Board
27 should conduct a review. It was stated that the Board was established at a time when the Town
28 had no Human Resources Department. It would require a charter modification for any changes to
29 the responsibilities of the Board.

30 **Human Resources** – The Human Resources Manager is a dual role between Town and School.
31 After discussion with the School Department, it was determined that the position should be
32 available onsite and on a regular basis. Thus, effective November the Human Resources

33 Department will be available five days per week from 8-4pm.

34 **Sewer Betterment Assessment** – After letters were sent out regarding various options, there
35 have been several phone calls and e-mails with questions. On September 15th, connection
36 information will be sent from the Sewer Department. The deadline for hearing requests from
37 residents is September 13th at 4:00pm. The hearings with Town Council will be held on
38 September 19th. A few deferral requests have been received by the Town Manager. The excel
39 worksheet for determining quarterly payments is available on the Town website. Once the
40 payment system is established, residents can determine what payment plan option they would
41 like to choose.

42 **Foreside Parking Meeting** – A Foreside Parking Meeting was held with several department
43 heads and facilitated by Town Manager Granfield at Traip Academy. There was great discussion
44 regarding increasing the connectivity in the sidewalks in the area and parking options. The
45 impact of parking fees was discussed. The Fire Chief and a representative from the Police
46 Department were not present for the meeting. Additional discussion was had regarding access,
47 mapping, and leasing spaces. The Department of Public Works evaluated and identified potential
48 areas for additional parking.

49 There were 25 new parking spaces striped on Walker Avenue the next day after the meeting.
50 There will be a public hearing for those spaces to consider the 2-hour limitation.

51 **Town Manager Search** – Two final candidates for the Town Manager position will be
52 interviewed by department heads, a citizen panel, and the Town Council on September 13th.

53 **Badger's Island Crosswalk** – Town Manger Granfield highlighted the determinations regarding
54 the request for a crosswalk at Badger's Island. There were concerns for ADA compliance
55 requirements and she made the public aware of those considerations. She questioned whether the
56 Council had been advised of potential liability and compliance concerns.

57 **Bonds** – The Town will move forward with issuing bonds on September 13th. Each time the
58 Town sells bonds in the public market, the Town has to reapply. The bond raters and Moody's
59 confirmed that it is AA and AA+ ratings. The ratings reflect a variety of positive aspects within
60 the Town.

61 Vice Chairperson Denault asked if the Personnel Board will continue to be utilized. Town
62 Manager Granfield noted that job descriptions were provided to the Board and no changes have
63 been made to the responsibilities of the Board.

64 Vice Chairperson Denault asked if a sewer betterment hearing can be scheduled for special
65 circumstances that miss the deadline for requests. Town Manager Granfield thought those could
66 be considered on a case-by-case basis.

67 Councilor Thomson asked whether there has been discussion with Maine DoT, NH DoT or Mr.
68 John Bohenko regarding the traffic issues due to the Sarah Mildred Long bridge closure. Town
69 Manager Granfield understood that most of the traffic should conclude soon given the season
70 changes. She will discuss with Mr. Bohenko what the City of Portsmouth is experiencing. She
71 will also look into what kind of action can be taken in the Fall to address the issues in
72 anticipation of next summer. Councilor Thomson noted the concerns for pedestrian safety that
73 the traffic has imposed, especially near the York Hospital intersection. Councilor Spiller asked if

74 there has been consideration to change the bridge lift schedule. Chairperson Beers answered that
75 in past requests, it was indicated that maritime traffic has precedence over land traffic.

76 Councilor Thomson noted that the press release on reissuing the bonds emphasizes the strong
77 fiscal management that helped to stabilize the Town's financial systems. He wondered if there
78 existed any opportunity to salvage the relationship with Ms. Saklad. Town Manager Granfield
79 replied that Ms. Saklad is moving forward with her resignation.

80 Councilor White asked if there exists a list of all crosswalks that are in compliance. Town
81 Manager Granfield replied that she will ask the Commissioner to retrieve a list.

82 Councilor Beers stated a check in the amount of \$25,181.74 was received from the Steven A.
83 Hynes Real Property Trust agreement owner of Yankee Parks for installation of rectangular,
84 rapid flashing beacons on Route 1 at a crosswalk near the Weathervane, Trading Post, and
85 Robert's Maine Grill. According to Commissioner Rich, the installation will be handled by the
86 Department of Public Works.

87 7. Acceptance of Previous Minutes

88 Regular Meeting – July 25, 2016

89 Line 20 – replace “whom” with “who”

90 Line 114 – add “of” between provision and ____

91 Line 117-118 – strike the semicolon after the words “that”, add semicolon after the word
92 “Towns” and “rules”

93 Line 205 – insert “to” after “addressed”

94 Line 450 – switch “1,000,000” and “100,000”

95 Line 471 –insert comma after word “Murray”

96 Line 513 – insert “to” after “that plan”

97 Line 523 – replace “Sean” with “Shawn”

98 Line 539 – first word read “EXECUTIVE”

99 Line 543 - add “E” in the word “WHITE”

100 The minutes were adopted, as amended.

101

102 Special Meeting – August 15, 2016

103 Line 32 – insert “an” after “posed”

104 Line 38, 39, 43 – change spelling of “Garrison” to “Gerasain”

105 Line 86 – replace “subside” with “repayment would be made in the following two years”

106 Line 120 – replace “the bond” with “a bond”

107 Line 126 – replace “24” as “19-24” and “2703” to read “27-03”

108 The minutes were adopted, as amended.

109

110 Regular Meeting – August 22, 2016

111 Line 21 – replace “state board and rather” with “state board but rather”

112 Line 208 – insert comma and replace “whom” with “who” after Arsenault

113 Councilor Thomson stated his abstention due to his absence.

114 The minutes were adopted, as amended.

115 8. Interviews for the Board of Appeals and Planning – None.

116 9. All items involving the town attorney, town engineers, town employees or other town
117 consultants or requested officials.

118 a. (090116-9) The Kittery Town Council moves to establish an overlay amount of
119 \$____, resulting in a mill rate of ____ mills, and to charge an interest rate of 7% per annum on
120 past due accounts and confirms the dates of October 31, 2016, February 15, 2017 and May 31,
121 2017, as the due dates for property and personal property taxes.

122 Paul McKenney, Assessor Temp Interim

123 Mr. McKenney explained that when the budget was first proposed, he estimated roughly a \$11
124 million to \$12 million increase. He did not consider at the time the increase on homestead
125 exemption from \$12,000 to \$15,000. This year's assessment ratio was valued at 92% of the
126 market, rather than the 100%. That \$15,000 homestead was reduced to \$13,800. There are 1,473
127 homestead exemptions, which compensated for the shortfall in growth. He recommended a tax
128 rate of \$16.05, which results in an overlay of \$92,481.

129 Mr. McKenney corrected his statement that the overlay amount is \$92,479.

130 **A MOTION WAS MADE BY COUNCILOR THOMSON TO ORDAIN FOR FISCAL**
131 **YEAR 2017 A TAX RATE OF \$16.05 PER THOUSAND VALUATION AND AN**
132 **OVERLAY AMOUNT OF \$92,479, AND TO CHARGE AN INTEREST RATE OF 7%**
133 **PER ANNUM ON PAST DUE ACCOUNTS AND CONFIRMS THE DATES OF**
134 **OCTOBER 31, 2016, FEBRUARY 15, 2017 AND MAY 31, 2017, AS THE DUE DATES**
135 **FOR PROPERTY AND PERSONAL PROPERTY TAXES, SECONDED BY**
136 **COUNCILOR SPILLER. THE MOTION PASSED BY A UNANIMOUS ROLL CALL**
137 **VOTE 6/0/0.**

138 10. PUBLIC HEARINGS

139 a. (090116-2) The Kittery Town Council moves to hold a public hearing on a renewal
140 application for Delta Amusement, Inc., 182 State Road, Kittery for a Special Activity
141 Amusement Permit for Navy Yard Bar & Billiards, 182 State Road.

142 Chairperson Beers opened the floor for public comment. Hearing none; Chairperson Beers
143 closed the public hearing.

144 **A MOTION WAS MADE BY COUNCILOR THOMSON TO ACCEPT THE**
145 **APPLICATION FOR DELTA AMUSEMENT, INC., 182 STATE ROAD, KITTERY FOR**
146 **A SPECIAL ACTIVITY AMUSEMENT PERMIT FOR NAVY YARD BAR &**
147 **BILLIARDS, 182 STATE ROAD, SECONDED BY VICE CHAIRPERSON DENAULT.**
148 **THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.**

149 11. DISCUSSION

150 a. Discussion by members of the public (three minutes per person)

151 Willie Goodson, 15 Martin Road

152 Mr. Goodson commended the efforts Council to help lessen the sewer assessments. He expressed
153 concerns regarding the timing for receipt of information. The 90-day connection requirement
154 will overlap into the Winter months and pose an issue for contractors digging up frozen group.

155 He requested that the 90-day requirement be deferred until at least the Spring season.

156 b. Response to public comment directed to a particular Councilor – None.

157 c. Chairperson's response to public comments

158 Mr. Goodson – He understood that Superintendent Kathios would provide the information the
159 day after the Town Code revisions became effective. There is a provision in the revision
160 ordained by Council on August 15th that indicates under unforeseen circumstances precluding a
161 homeowner from engaging a contractor to complete the connection, a request can be made to the
162 Town Manager for postponement to the Spring season.

163 12. UNFINISHED BUSINESS – None.

164 13. NEW BUSINESS

165 a. Donations/gifts received for Council disposition

166 (090116-3) The Kittery Town Council moves to accept a donation in the amount of
167 \$9,250 from York Hospital to the Recreation Department for scholarships to be deposited in
168 account #5003-43600 York Hospital Scholarships.

169 **A MOTION WAS MADE BY COUNCILOR THOMSON TO ACCEPT A DONATION IN**
170 **THE AMOUNT OF \$9,250 FROM YORK HOSPITAL TO THE RECREATION**
171 **DEPARTMENT FOR SCHOLARSHIPS TO BE DEPOSITED IN ACCOUNT #5003-**
172 **43600 YORK HOSPITAL SCHOLARSHIPS WITH GRATITUDE, SECONDED BY**
173 **COUNCILOR WHITE. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE**
174 **6/0/0.**

175 b. (090116-4) The Kittery Town Council moves to approve the disbursement warrants.

176 Town accounts payable of \$99,186.99.
177 Sewer accounts payable of \$94,338.13.
178 School accounts payable of \$467,218.84.
179 School accounts payable of \$122,254.06.
180 Total of all disbursement warrants of \$782,998.02.

181
182 Chairperson Beers stated that the Town and Sewer warrants are in order. Councilor Lemont that
183 the School warrants are in order.

184 **A MOTION WAS MADE BY COUNCILOR SPILLER TO APPROVE THE**
185 **DISBURSEMENT WARRANTS, SECONDED BY COUNCILOR THOMSON. THE**
186 **MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**

187 c. (090116-5) The Kittery Town Council moves to appoint Kristi Mathieson to the KCC
188 Board of Directors for a term effective this date until 12/31/19.

189 **A MOTION WAS MADE BY CHAIRPERSON BEERS TO APPOINT KRISTI**
190 **MATHIESON TO THE KCC BOARD OF DIRECTORS FOR A TERM EFFECTIVE**
191 **THIS DATE UNTIL 12/31/19, SECONDED BY COUNCILOR SPILLER. THE MOTION**
192 **PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**

193 d. (090116-6) The Kittery Town Council moves to appoint Charles Patten to the Port
194 Authority for a term effective this date until 8/31/19.

195 **A MOTION WAS MADE BY COUNCILOR WHITE TO APPOINT CHARLES PATTEN**
196 **TO THE PORT AUTHORITY FOR A TERM EFFECTIVE THIS DATE UNTIL 8/31/19,**
197 **SECONDED BY COUNCILOR SPILLER. THE MOTION PASSED BY A UNANIMOUS**
198 **VOICE VOTE 6/0/0.**

199 e. (090116-7) The Kittery Town Council moves to release funds in the amount of \$3,500
200 from unassigned surplus and to appropriate said funds to be paid out of account #101740-68427
201 Expense Self Insurance Claims, to pay the deductible associated with an insurance claim.

202 **A MOTION WAS MADE BY COUNCILOR SPILLER TO RELEASE FUNDS IN THE**
203 **AMOUNT OF \$3,500 FROM UNASSIGNED SURPLUS AND TO APPROPRIATE SAID**
204 **FUNDS TO BE PAID OUT OF ACCOUNT #101740-68427 EXPENSE SELF**
205 **INSURANCE CLAIMS, TO PAY THE DEDUCTIBLE ASSOCIATED WITH AN**
206 **INSURANCE CLAIM, SECONDED BY COUNCILOR WHITE. THE MOTION PASSED**
207 **BY A UNANIMOUS ROLL CALL VOTE 6/0/0.**

208 f. (090116-8) The Kittery Town Council moves to approve a renewal application for
209 Delta Amusement Inc., 182 State Road, Kittery for a Malt, Spirituous and Vinous Liquor License
210 for Navy Yard Bard & Billiard, 182 State Road.

211 **A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE A RENEWAL**
212 **APPLICATION FOR DELTA AMUSEMENT INC., 182 STATE ROAD, KITTERY FOR**
213 **A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR NAVY YARD BARD &**
214 **BILLIARD, 182 STATE ROAD, SECONDED BY VICE CHAIRPERSON DENAULT.**
215 **THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.**

216 h. (090116-10) The Kittery Town Council moves to schedule a public hearing for
217 September 26, 2016 on proposed amendments to Title 2 of the Kittery Town Code.

218 **A MOTION WAS MADE BY COUNCILOR THOMSON TO SCHEDULE A PUBLIC**
219 **HEARING FOR SEPTEMBER 26, 2016 ON PROPOSED AMENDMENTS TO TITLE 2**
220 **OF THE KITTERY TOWN CODE, SECONDED BY COUNCILOR WHITE. THE**
221 **MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**

222 i. (090116-11) The Kittery Town Council moves to schedule a public hearing for
223 September 26, 2016 on proposed amendments to Title 10 of the Kittery Town Code.

224 **A MOTION WAS MADE BY COUNCILOR THOMSON TO SCHEDULE A PUBLIC**
225 **HEARING FOR SEPTEMBER 26, 2016 ON PROPOSED AMENDMENTS TO TITLE 10**
226 **OF THE KITTERY TOWN CODE, SECONDED BY VICE CHAIRPERSON DENAULT.**
227 **THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**

228 j. (090116-12) The Kittery Town Council moves to amend Title 11 General Assistance
229 Appendices A-D for the period of October 1, 2016 – September 30, 2017, as required and
230 provided by the State of Maine.

231 **A MOTION WAS MADE BY COUNCILOR THOMSON TO AMEND TITLE 11**

232 **GENERAL ASSISTANCE APPENDICES A-D FOR THE PERIOD OF OCTOBER 1,**
233 **2016 – SEPTEMBER 30, 2017, AS REQUIRED AND PROVIDED BY THE STATE OF**
234 **MAINE, SECONDED BY COUNCILOR WHITE. THE MOTION PASSED BY A**
235 **UNANIMOUS ROLL CALL VOTE 6/0/0.**

236 k. (090116-13) The Kittery Town Council moves to appoint Mary Thron to the Board of
237 Assessment Review as an alternate member for a term effective this date until 12/31/19.

238 **A MOTION WAS MADE BY VICE CHAIRPERSON DENAULT TO APPOINT MARY**
239 **THRON TO THE BOARD OF ASSESSMENT REVIEW AS AN ALTERNATE**
240 **MEMBER FOR A TERM EFFECTIVE THIS DATE UNTIL 12/31/19, SECONDED BY**
241 **COUNCILOR THOMSON. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE**
242 **6/0/0.**

243 l. (090116-14) The Kittery Town Council moves to release funds in the amount of
244 \$5,000 from unassigned surplus and to appropriate said funds to be paid out of account #101740-
245 68427 Expense Self Insurance Claims, to pay the deductible associated with a defective
246 compressor at the Town Hall.

247 **A MOTION WAS MADE BY COUNCILOR SPILLER TO RELEASE FUNDS IN THE**
248 **AMOUNT OF \$5,000 FROM UNASSIGNED SURPLUS AND TO APPROPRIATE SAID**
249 **FUNDS TO BE PAID OUT OF ACCOUNT #101740-68427 EXPENSE SELF**
250 **INSURANCE CLAIMS, TO PAY THE DEDUCTIBLE ASSOCIATED WITH A**
251 **DEFECTIVE COMPRESSOR AT THE TOWN HALL, SECONDED BY VICE**
252 **CHAIRPERSON DENAULT. THE MOTION PASSED BY A UNANIMOUS ROLL**
253 **CALL VOTE 6/0/0.**

254 14. COUNCILOR ISSUES OR COMMENTS

255 Councilor Spiller explained that Kittery Police Officer Cummer has been talking with dog
256 walkers at Fort Foster. He has developed an e-mail distribution list to send out weekly messages
257 encouraging all to clean up after their dogs.

258 Vice Chairperson Denault indicated that the traffic light on Haley Road to turn left onto Route 1
259 changes from green to red quicker than typical traffic signals. He asked that the timing be
260 evaluated.

261 Vice Chairperson Denault asked if discussion could be had with the School Superintendent for
262 his suggestion to help mitigate the dog waste at Fort Foster. He suggested that the School
263 Department explore the idea of having students in the wood shop work on a general project
264 design for dog waste receptacles that would make it easier for DPW to maintain. It could be
265 counted as community credit towards graduation.

266 Councilor Thomson congratulated Graham Alvord on his recent 100th birthday. He highlighted
267 Mr. Alvord's community involvement to include guest speaking at St. Thomas Aquinas High
268 School about his D-Day experiences.

269 Councilor Thomson provided details about the Neighborhood Network, which is a program
270 established by York Housing in partnership with York Hospital. It is a program available to
271 Kittery residents that are 50 years and older to provide various services and resources including

272 health and wellness activities, transportation, and more, at an annual fee.

273 Councilor Thomson expressed his discouragement by the resignation of Ms. Saklad.

274 15. COMMITTEE AND OTHER REPORTS

275 a. Communications from the Chairperson

276 Sewer assessment hearings requested by property owners are scheduled for September 19th. It is
277 unknown how many requests will be had and handled in the first session. September 21st is
278 reserved for continuation of additional hearings, if necessary. Those requests filed before the
279 September 13th deadline will be scheduled for a hearing on September 19th. Property owners
280 have the right to request arbitration after a hearing is conducted. There are positions available for
281 citizens to participate in the arbitration panel group.

282 b. Committee Reports – None.

283 16. EXECUTIVE SESSION

284 a. (090116-13) The Kittery Town Council moves to go in to executive session with the
285 Town Manager in accordance with 1 M.R.S. §405 (6)(C) to discuss a land acquisition.

286 **A MOTION WAS MADE BY COUNCILOR SPILLER TO GO IN TO EXECUTIVE**
287 **SESSION AT 7:50 P.M. WITH THE TOWN MANAGER IN ACCORDANCE WITH 1**
288 **M.R.S. §405 (6)(C) TO DISCUSS A LAND ACQUISITION, SECONDED BY**
289 **COUNCILOR WHITE. THE MOTION PASSED BY A UNANIMOUS ROLL CALL**
290 **VOTE 6/0/0.**

291 **A MOTION WAS MADE BY COUNCILOR** Click here to enter text. **TO COME OUT OF**
292 **EXECUTIVE SESSION AT** Click here to enter text. **P.M., SECONDED BY COUNCILOR**
293 Click here to enter text.. **THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE**
294 **6/0/0.**

295 17. ADJOURNMENT

296 **A MOTION WAS MADE BY COUNCILOR** Click here to enter text. **TO ADJOURN THE**
297 **MEETING AT** Click here to enter text. **P.M., SECONDED BY COUNCILOR** Click here to
298 enter text.. **THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**


299 Submitted by Marissa Day, Minutes Recorder, on September 19, 2016.

300 *Disclaimer: The following minutes constitute the author's understanding of the meeting. While*
301 *every effort has been made to ensure the accuracy of the information the minutes are not intended*
302 *as a verbatim transcript of comments at the meeting, but a summary of the discussion and*
303 *actions that took place. For complete details, please refer to the video of the meeting on the*
304 *Town of Kittery website at <http://www.townhallstreams.com/locations/kittery-maine>.*



TOWN OF KITTERY
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329 Fax: 207-439-6806

REPORT TO TOWN COUNCIL

Meeting Date: September 26, 2016
From: Carol M. Granfield, Interim Town Manager 
Subject: Proposed Amendments to Title 2, Administration and Personnel of the Kittery
Town Code
Councilor Sponsor: Chairperson Gary Beers

EXECUTIVE SUMMARY

A public hearing must be held to adopt amendments to the Town Code. Two positions require either amendments to the purpose of positions established or need to be officially established.

BACKGROUND

Positions are established in Title 2 of the Town Code in Chapter 2.1, "Personnel Positions Established". The purpose of each position is included in this chapter. Additionally, Chapter 2.5 "Compensation" lists the Classification Plan.

FACTS BEARING ON THE EQUATION

A review of Title 2 revealed that it was not accurate with one position not included in the correct Chapter and one was recently modified as a result of budget adoption. Town Council requested that the Human Resources position be included in the appropriate Chapter reflecting the current duties.

CURRENT SITUATION

The following two positions are discussed that are within three departments:

1. **Human Resources Manager** – this position is currently listed in Title 2, Chapter 2.3.15.4 of the Town Code and simply states "The Human Resources Manager is defined as a shared position located within the School Department." This dual position has been in place for the past five years with agreement between the Town and School. Over the course of time, the duties have dramatically shifted to approximately 90% work for the Town and 10% for the school. The position was never included in Chapter 2.1, nor was a job description adopted by the Town. The proposed purpose of the position for the Town is attached
2. **Shoreland/Environmental Resource Officer** – this position is currently listed in Title 2, Chapter 2.4.10 which was changed as a result of the budget adoption this year, from part time to a full time position with expanded responsibilities along with a different title and reports to two Department Heads instead of the Town Manager.

PROPOSED SOLUTION/RECOMMENDATION

The Personnel Committee met and reviewed the status of the two positions, and concurs with the recommendation to proceed with adopting the attached updated titles and purposes for both positions. The Committee additionally concurred with the recommended job descriptions. It is recommended that in order to accomplish these amendments, the attached changes to Title 2, Chapters 2.4 and 2.5 be adopted as presented. Town Council may also want to consider deleting 2.3.15.4 from this Chapter if the Human Resources Director position is added to Chapter 2.4 as it is not relevant.

RATIONALE FOR THE PROPOSED SOLUTION (INCLUDING COSTS)

The proposed amendments do not require any additional costs, however, incorporates the positions appropriately into the Town Code in accordance with how the Town officially recognizes approved Town positions.

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.3 PERSONNEL SYSTEM GENERALLY

Chapter 2.3.15.4 Human Resources Manager

~~The Human Resources Manager is defined as a shared position located within the School Department.~~

Chapter 2.4 PERSONNEL POSITIONS ESTABLISHED

~~2.4.1.10 Shoreland/Environmental Resource Officer~~

~~Purpose of the position: The shoreland/environmental resource officer position is responsible for assisting Public Works, Sewer and Code Enforcement Departments in meeting the various requirements of Local/State/Federal laws and educating the citizens, students, visitors and businesses on a range of environmental topics relating to eliminating all discharges to air, land or water that are a threat to our current and future generations of Kittery. This position reports to the Town Manager.~~

2.4.1.10 Human Resources Director:

The employee in this position is responsible for the administration of human resource activities for the Town of Kittery under the direction of the Town Manager including, but not limited to oversight for employee recruitment and selection, state and federal employment compliance standards, staff training, compensation and benefits, participation in labor contract negotiations, contract administration and dispute resolution, employee recognition and employee safety and wellness, in accordance with the Town Charter, State and Federal laws and regulations. The employee communicates regularly and collaborates productively with all members of management staff on a wide range of personnel matters. The employee is required to perform all similar or related duties.

2.4.2.7 Shoreland Resource Officer/Stormwater Coordinator

The Shoreland Resource Officer/Stormwater Coordinator position is responsible for assisting Public Works and Code Enforcement Departments in meeting the various requirements of Local/State/Federal laws and educating the citizens, visitors and businesses on a range of environmental topics relating to eliminating all discharges to air, land or water that are a threat to our current and future generations of Kittery. This position reports to the Commissioner of Public Works and the Planner or designee.

2.4.7.8 Shoreland Resource Officer/Stormwater Coordinator

The Shoreland Resource Officer/Stormwater Coordinator position is responsible for assisting Public Works and Code Enforcement Departments in meeting the various requirements of Local/State/Federal laws and educating the citizens, visitors and businesses on a range of environmental topics relating to eliminating all discharges to air, land or water that are a threat to our current and future generations of Kittery. This position reports to the Commissioner of Public Works and the Planner or designee.

Chapter 2.5 COMPENSATION

Position	Established By
2.4.1.1 Town Manager	Council
2.4.1.2 Town Clerk/Register of Voters	Council
2.4.1.3 Deputy Town Clerk / General Assistance Administrator	Union Contract
2.4.1.4 Assistant Town Clerk	Union Contract
2.4.1.5 Deputy Treasurer	Union Contract
2.4.1.6 Accountant	Union Contract
2.4.1.7 Administrative Clerk	Union Contract
2.4.1.8 Secretary to the Town Manager	Council
2.4.1.9 Finance Director	Council
2.4.1.10 Shoreland/Environmental Resource Officer	Council
2.4.4.10 Human Resources Director	Council
<hr/>	
2.4.2.1 Planner	Council
2.4.2.2 Development Staff Assistant / Assistant Code Enforcement Officer / Plumbing Inspector	Union Contract
2.4.2.3 Development Staff Clerk	Union Contract
2.4.2.4 Assistant Town Planner	Union Contract
2.4.2.5 Code Enforcement Officer	Union Contract
2.4.2.5.1 Building Official	Council
2.4.2.5.2 Deputy Building Official	Council
2.4.2.6 Building Inspector	Council
2.4.2.7 Shoreland Resource Officer/Stormwater Coordinator	Union Contract
<hr/>	
2.4.3.1 Assessor	Union Contract
<hr/>	
2.4.4.1 Recreation Director/General Manager	Council
2.4.4.2 Secretary / Bookkeeper	Union Contract
2.4.4.3 Assistant Recreation Director/Assistant General Manager	Union Contract
2.4.4.4 Safe Alternatives for Enrichment (S.A.F.E.) Coordinator	Union Contract
2.4.4.5 Program Coordinator	Union Contract
2.4.4.6 Recreation Supervisor	Union Contract
2.4.4.7 Early Childcare Supervisor/Head Teacher	Union Contract
2.4.4.8 Sports Coordinator	Union Contract
2.4.4.9 Head Custodian	Union Contract
<hr/>	
2.4.5.1 Police Chief	Council
2.4.5.2 Lieutenant	Council
2.4.5.3 Administrative Assistant to Chief of Police	Council
2.4.5.4 Sergeant	Union Contract
2.4.5.5 School Resource Officer	Union Contract
2.4.5.6 Court Officer	Union Contract

2.4.5.7	Detective	Union Contract
2.4.5.8	Juvenile Officer	Union Contract
2.4.5.9	Animal Control Officer	Union Contract
2.4.5.10	Police Officer	Union Contract
2.4.5.11	Dispatcher	Union Contract
2.4.5.12	Dispatcher / Secretary	Union Contract
2.4.5.13	Shellfish Conservation Warden	Council
2.4.6.1	Superintendent of Sewer Services	Council
2.4.6.2	Utility Billing Bookkeeper / Assistant Tax Collector	Union Contract
2.4.6.3	Operator-Class I	Union Contract
2.4.6.4	Operator-Class II	Union Contract
2.4.6.5	Chief Plant Operator	Union Contract
2.4.6.6	Laboratory Technician Level I or II	Union Contract
2.4.6.7	Maintenance Worker	Union Contract
2.4.7.1	Commissioner	Council
2.4.7.2	Administrative Assistant	Council
2.4.7.3	Foreman	Union Contract
2.4.7.4	Driver / Laborer II	Union Contract
2.4.7.5	Mechanic	Union Contract
2.4.7.6	Mechanic Assistant / Operator	Union Contract
2.4.7.7	Equipment Operator	Union Contract
2.4.7.8	Shoreland Resource Officer/Stormwater Coordinator	Union Contract
2.4.8.1	Fire Chief	Council
2.4.8.2	Assistant Chief	Council
2.4.8.3	Deputy Chief	Council
2.4.8.4	Captain	Council
2.4.8.5	Lieutenant	Council



TOWN OF KITTERY
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329 Fax: 207-439-6806

REPORT TO TOWN COUNCIL

Meeting Date September 12, 2016
From: David Rich, Commissioner of Public Works
Subject: Title 10
Councilor Sponsor: [Click here to enter text.](#)

EXECUTIVE SUMMARY STATEMENT OF NEED

BACKGROUND

FACTS BEARING ON THE EQUATION

CURRENT SITUATION

The Police Department is unable to issue parking tickets at this time on Walker Street and Government Street due to added parking spaces and signage placement. Modifications for ordinance 10.3.1.5 Time Period Restrictions and 10.3.5 Handicapped Reservations-33 Government Street are needed to allow the Police Department to enforce the ordinances.

PROPOSED SOLUTION/RECOMMENDATION

We propose changes to the Ordinance 10.3.1.5 Time Period Restrictions on Walker Street for the added parking spaces to include new distances for the restrictions. We are also updating the signage on Walker and Government Street to alleviate any confusion of the parking restrictions.

We are also proposing changes to Ordinance 10.3.5 Handicapped Reservations-33 Government Street. The Church has indicated that they are no longer in need of the Handicapped parking on Thursday from 9:00 a.m. to 12:00 noon. We propose removing this from the Ordinance and will be adding new signage to the location to include handicap signs indicating Handicapped parking on Sunday from 8:00 a.m. to 12:00 noon.

RATIONALE FOR THE PROPOSED SOLUTION (INCLUDING COSTS)

The proposed changes to the Ordinances will allow the Police Department to enforce parking restrictions. The cost for the new signage and striping will be between \$250.00 and \$350.00 dollars, which will be covered in our DPW budget.

10.3.1.5 Time Period Restrictions.

A. It is unlawful to leave a motor vehicle parked, standing, or unattended on any public way in the Town:

1. November 1st to April 1st, inclusive:
 - a. Between the hours of 12:00 midnight and 6:00 a.m.,
 - b. More than four hours between 6:00 a.m. and 12:00 midnight;

2. April 2nd to October 31st, inclusive:

- a. More than four hours between 6:00 a.m. and 6:00 p.m., Monday through Friday.

B. The Town Manager is authorized to declare a total parking ban on any or all public ways in the Town for the purpose of snowplowing or snow removal operations.

C. Parking is prohibited from 5:00 a.m. to 7:00 a.m. and from 5:00 p.m. to 7:00 p.m. in the following locations:

1. On the north side of Pepperrell Road starting at Smith Lane and running east for sixty (60) feet.

2. It is unlawful for any person to park longer than two consecutive hours in the municipal parking lot located at the southeast side of the Rice Public Library. All-day parking permits may be obtained from the police department. These permits will be limited to business owners and employees of businesses located in the Kittery Foreside zone as defined in the zoning ordinance (Section 16.12.150). These permits are for the purpose of freeing up on-street parking for customers. The all-day permits will be issued to specific individuals and will be numbered. The permits must be displayed in the driver's side windshield area during the time the vehicle is parked in the municipal lot. When the ownership of a business changes or an employee leaves the employment of a business located in the Kittery Foreside zone, the parking permit is then cancelled and must be returned to the police department.

3. Parking in the municipal parking lot between the hours of 12:00 midnight and 6:00 a.m. will be restricted to permit holders. Overnight parking permits may be obtained from the police department. These permits will be limited to individuals who reside in the Kittery Foreside zone as defined in the land use and development code, Section 16.3.2.15E, Kittery Foreside - KF. The overnight parking spaces are limited to six in number and are located on the southeast boundary of the parking lot. These individuals may also apply for twenty-four (24) hour parking permits.

4. The overnight or twenty-four (24) hour permits will be issued to specific individuals and will be numbered. The permits must be displayed in the driver's side windshield area during the time the vehicle is parked in the municipal lot. When the individual no longer resides in the Kittery Foreside zone, the parking permit is then cancelled and must be returned to the police

department. Residents will be allowed to park their vehicles overnight or for twenty-four (24) hours only in an area within the municipal lot that is designated and posted for use by residents. Each resident permit holder will be responsible for snow removal in the immediate area surrounding their parked vehicle.

D. Two-hour parking will be permitted from 7:00 A.M. to 6:00 P.M., (Unrestricted parking is permitted on Sundays and holidays), in the following locations:

Government Street, south side, from Hunter Avenue to Wallingford Square and north side across from Knight Avenue to Wallingford Square;

Wallingford Square, both sides, including the town wharf and its approaches;

Walker Street, south side, beginning fifty seven (57) feet west of Wentworth Street, westerly to the direction for a distance of three hundred and forty (340) feet past the intersection of Walker and Main Street;

Walker Street, north side, beginning ~~ten~~ fifty five (40 55) feet west of Wentworth Street, westerly to the direction for a distance of two hundred and five (205) feet past the intersection of Walker and Main Street.

E. The Town's parking lot located on the east side of Moore Street is restricted to permit holders and their guests only. Permit holders are limited to residents of Moore Street who do not have off-street parking available. Parking permits may be obtained from the police department. The owner or operator of any vehicle found in violation of this section will be summonsed and the vehicle will be towed at the owner's expense as provided in this chapter.

F. Parking in the Municipal Parking Lot located in Wallingford Square at the corner of Walker Street is restricted to a maximum of two (2) consecutive hours from 7:00 a.m. to 6:00 p.m. and three (3) consecutive hours from 6:00 p.m. to 7:00 a.m. Parking is not permitted between the hours of midnight and 6:00 a.m. from November 1st through March 31st, inclusive.

10.3.2 Parking Within Lines.

Failure to park within prescribed lines as laid out on any street is a violation of the parking rules.

10.3.3 Parking on Sidewalks.

Parking vehicles of any kind on sidewalks anywhere in Town is prohibited.

10.3.4 Blocking Driveways.

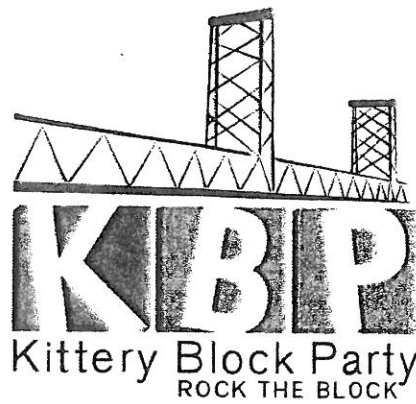
It is unlawful for any person to park, leave standing or unattended any vehicle on the public ways of the Town, in such manner so as to block any driveway, public or private, as to prevent egress or entrance to such driveway.

10.3.5 Handicapped Reservation – 33 Government Street

The two marked parking spaces in front of #33 Government Street on the south side are designated handicapped parking spaces on ~~Thursday from 9:00 a.m. to 12:00 noon and on~~ Sunday from 8:00 a.m. to 12:00 noon.

**DONATIONS TO THE THRESHER
MEMORIAL FUND
FOR COUNCIL APPROVAL
SEPTEMBER 26,2016**

YEAR	PER	JOURNAL	EFF DATE	AMOUNT	VDR NAME/ITEM DESC	COMMENTS
2017	1		07/05/16	\$ 20.00	KENNETH M BONNELL	
2017	2		08/15/16	\$ 20.00	KENNETH M BONNELL	
2017	3		09/06/16	\$ 20.00	KENNETH M BONNELL	
			TOTAL	\$ 60.00		



9/26/16

As presented by the Kittery Block Party Grant committee and approved by the Kittery Block Party Committee, please find the 2016 Kittery Block Party Grant recipients and amounts below.

Kittery Block Party Grant recipients and amounts:

☛ Kittery Recreation Dept.	\$4,500
☛ Kittery Benevolent Assoc.	\$1,000
☛ Kittery Naval Museum	\$500
☛ Center for Wildlife	\$750
☛ CATA	\$1,000
☛ Rice Library	\$1,500
☛ Kittery Community Mkt	\$300
☛ Table of Plenty	\$750
☛ Fairtide	\$3,000
☛ Dance Hall	\$1,000
☛ Kittery School Nutrition	\$500
☛ Seacoast Outright	\$500
☛ Seacoast Soul Models	\$500
Total	\$15,800

Donation
Deposit to
2063-43600
KCC Fund
Raising Acct

Sincerely,
Kittery Block Party Grant Review Committee

Mari O'Neil
Ben Lord
Deb McCluskey

REPORT to the KITTERY TOWN COUNCIL – GIFT TO TOWN

RESPONSIBLE INDIVIDUAL: Denise Scotti, Manager, Yankee Parks

Date: 091116

Sponsor: Beers

SUBJECT: Rectangular Rapid Flashing Beacons Gift to the Town of Kittery

BACKGROUND:

- July 2015, Gorrill-Palmer Traffic Impact Analysis, Yankee Commons Expansion: *"There are currently two mid-block pedestrian crossings of Route 1 in the vicinity of the Kittery Malls. While this project should not increase the number of pedestrian crossings, and the truck traffic is anticipated to end after a year, we do recommend that rapid rectangular flashing beacons be installed at these two crossings."*
- 24 July 2015, Owner Response to Planning Comments - Yankee Commons Expansion Project *"We do propose a consideration suggested by Gorrill-Palmer to install (before construction starts) Rectangular Rapid Flashing Beacons (like the ones on State Road crosswalk leading to Memorial Field), at the unsignalized crosswalks by Robert's Maine Grill and Supershoes to promote better pedestrian safety. The devices to remain after project completion. We would be pleased to accept that as a Condition of Approval."*
- The Kittery Planning Board approved the development plans on March 10, 2016 with no mention of this offer.
 - Approved plans restrict construction traffic from turning southbound on Rte 1.
- DPW Commissioner Albert indicated MDoT approval required. Requested on April 28th. Approved on June 10th, 2016.
- Project view (*encl 1*) provided and quote for the project requested of Commissioner Albert received on June 30, 2016 (*encl 2*).

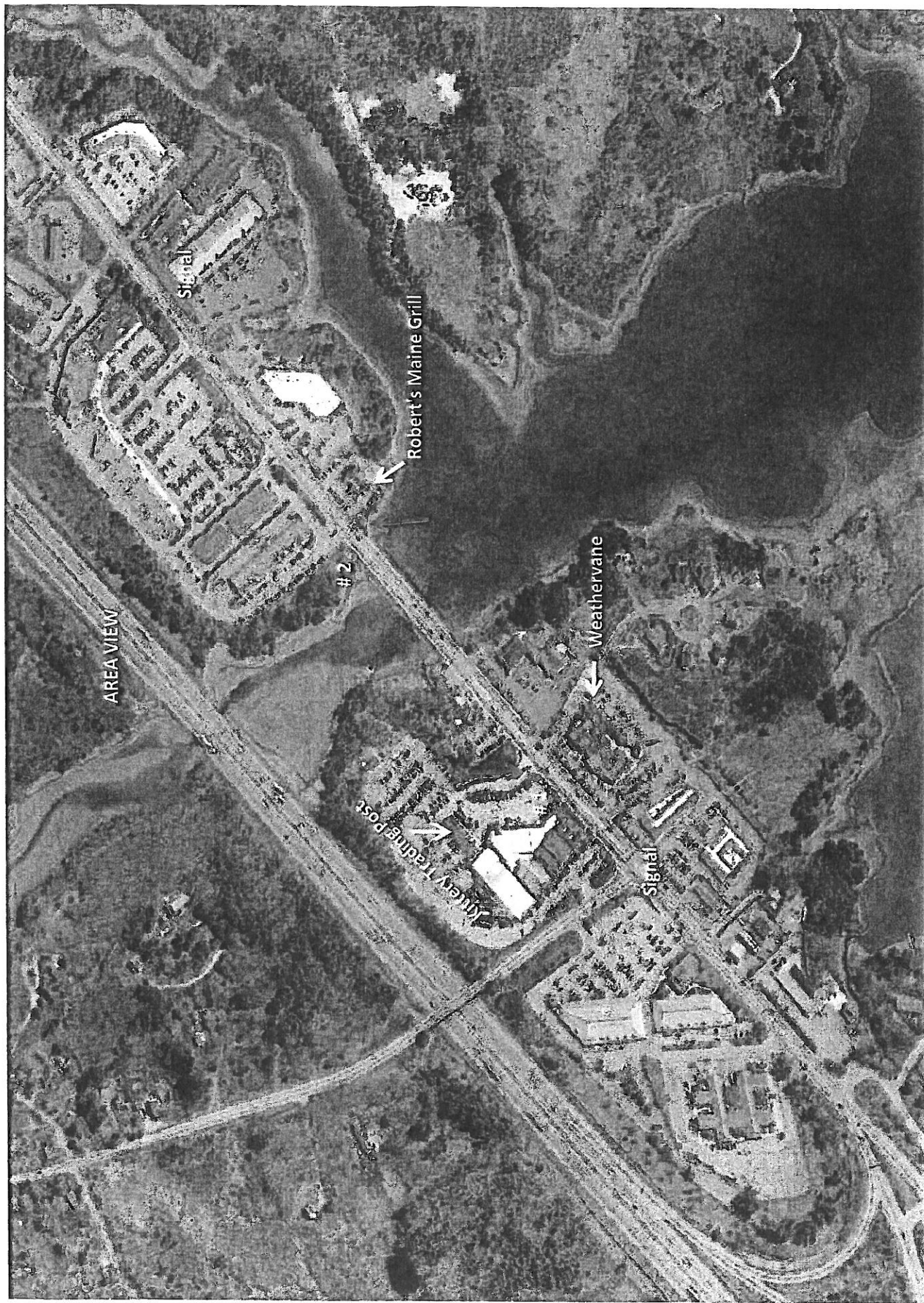
CURRENT SITUATION:

- Site locations suggested in the aerials are seen as the higher-volume pedestrian demarked crosswalks
- DPW estimated cost is \$25,181.45 (option 2) and a check payable to the Town for that amount is in hand to be delivered upon acceptance of the gift offer.

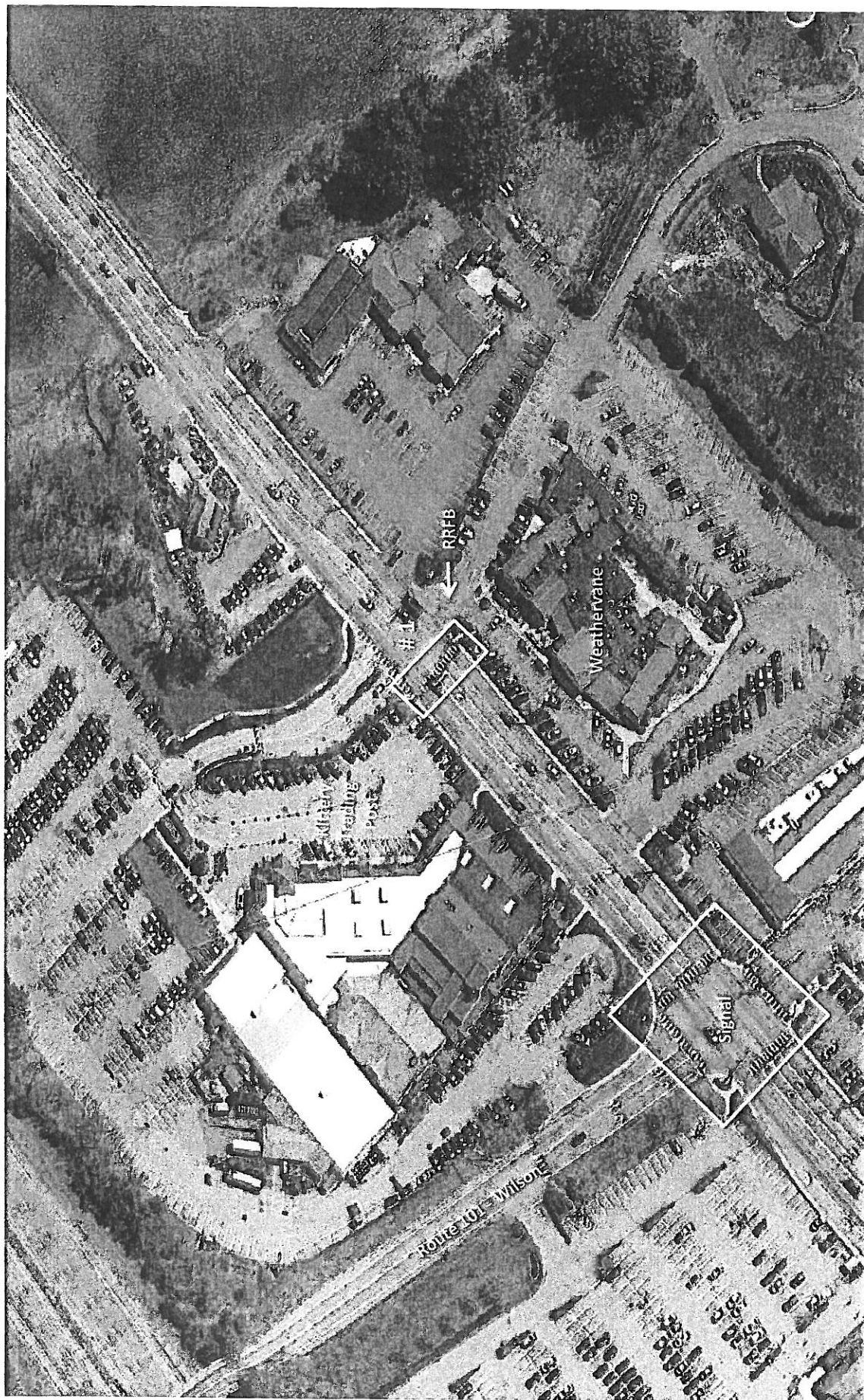
RECOMMENDATION: Council accept the gift as tendered and approve installation of the RRFB at the suggested locations at a cost not to exceed the gift amount.

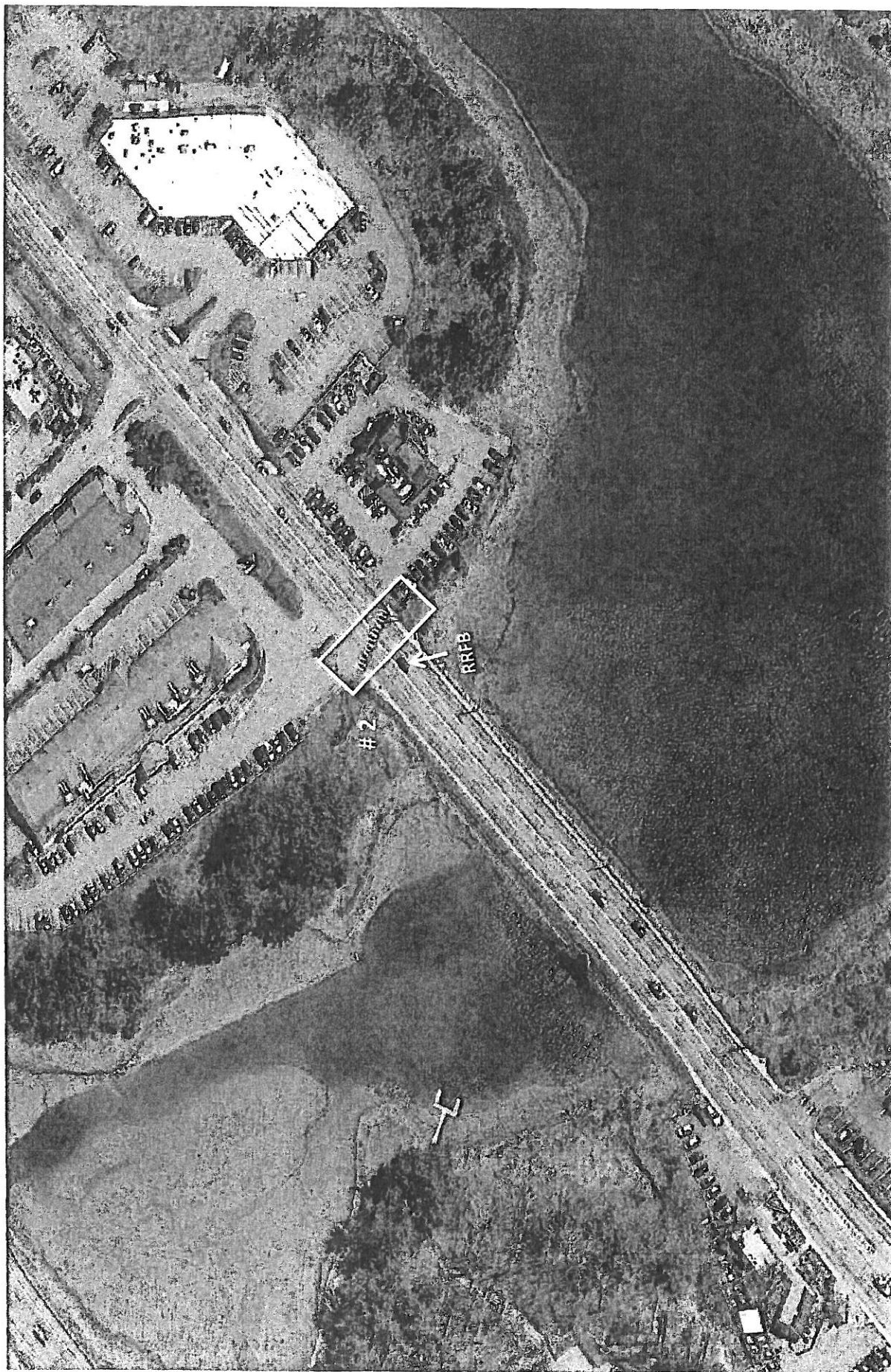
ENCLOSURES

1. RRFB Aerial Location Views
2. DPW Project Cost Quote



HYNES REPORT TO COUNCIL - ENCLOSURE 1 - AERIAL VIEW - SITE LOCATIONS





Bank of America
ACH R/T 323070380

STEPHEN A. HYNES
SUITE 210 - 1571 BELLEVUE AVENUE
WEST VANCOUVER, BC V7V 1A6
TEL: (604) 922-7879 FAX: (604) 922-7879

100

24-7038/3230 OR
4118

DATE 07202016
M M D D Y Y Y Y

PAY
TO THE
ORDER OF

*****Twenty-Five Thousand One Hundred Eighty-One and 45/100

DATE

**25,181.45

Town of Kittery

STEPHEN A. HYNES



MEMO

AUTHORIZED SIGNATURE

MP

⑈000100⑈ ⑆323070380⑆ ⑆5007023252⑈

PHOTOCOPY

STEPHEN A. HYNES

Town of Kittery

7/20/2016

100

Date
07/15/2016 Bill

Type Reference

Original Amt.
25,181.45

Balance Due
25,181.45

Discount

Payment

USD 25,181.45

Cheque Amount

USD 25,181.45

BofA - US\$ 3252

USD 25,181.45

Details on Back

Security Features Included

Town of Kittery
Job Description

Position Title	Human Resources Director	Date	September 2016
Department	Administration	FLSA Status	Exempt
Reports to:	Town Manager		

Purpose of Position: The employee in this position is responsible for the administration of human resource activities for the Town of Kittery under the direction of the Town Manager including, but not limited to oversight for employee recruitment and selection, state and federal employment compliance standards, staff training, compensation and benefits, participation in labor contract negotiations, contract administration and dispute resolution, employee recognition and employee safety and wellness, in accordance with the Town Charter, State and Federal laws and regulations. The employee communicates regularly and collaborates productively with all members of management staff on a wide range of personnel matters. The employee is required to perform all similar or related duties.

Essential Functions:

The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

Oversees and participates in the development, strategic planning, legal compliance and administration of Town-wide personnel policies and practices including employee recruitment/retention, compensation and classification of positions, labor relations, contract administration, grievance resolution, policy interpretation and the administration and provision of employee benefits.

Provides for competitive and equitable compensation programs by working with Department Heads to prepare updated position descriptions, obtaining external market data and maintaining and administering classification plans. Undertakes periodic review and recommendation of updates as needed in order to provide for competitive, equitable and fiscally sound compensation programs.

Assures compliance with local, state and federal employment laws including but not limited to employment and benefit practices, harassment prevention, non-discrimination, wage and hour laws, ADA, Maine Human Rights Act, FLSA and the compliance and administration of FMLA.

Oversees staffing and recruiting processes to ensure hiring is accomplished in an equitable and effective manner consistent with Town guidelines and legal compliance. Consults with and provides support for department heads and supervisors regarding the

recruitment, screening and interviewing of applicants and hiring of prospective employees. Assists with new employee orientation.

Develops and implements employee training and educational programs in partnership with Town Department Heads. Oversees the Town Safety, Wellness and Social Committees.

Provides coaching and consultation to supervisors in regard to employee performance management, as requested.

Oversees the Town's employee benefit programs and administration including, but not limited to, health, dental, vision, disability, deferred compensation and MainePERS, flexible spending accounts, HRA and other benefits that may be offered to Town employees. Undertakes periodic review of employee benefit programs and works with the Town Manager to offer and review recommendations for changes/enhancements to maintain or improve the Town's overall competitive position in the labor market and employee satisfaction.

Serves as the point of contact for external and internal employment inquiries.

Reviews and updates town employment materials, employment and volunteer applications, employment policies and job descriptions.

Serves as a resource for the Town's collective bargaining team in the planning and negotiations of the Town's collective bargaining agreements.

Ensures equal opportunity and harassment prevention measures, training, policies and protocol are established and maintained for Town employees and volunteers. Conducts and appropriately documents and follows up on investigations of alleged harassment and discrimination of Town employees, in conjunction with or as designated by the Town Manager.

Monitors unemployment insurance and workers' compensation program, partnering with Town Manager, Department Heads and Safety and Wellness Committee in the development and implementation of appropriate and effective strategies for risk management and cost containment.

Oversees the administration and contracting for outside vendors to administer the Town's CDL Drug and Alcohol Testing program and employee assistance programs.

Develops and administers the Human Resource Department's operating budget.

Maintains current knowledge of HR practices and trends and stays abreast of wide variety of employment issues, laws and emerging trends through HR professional development associations and attendance at relevant HR workshops, association, training and through reading.

Maintains personnel files and personnel records and safekeeping of same.

Supervision:

Supervision Scope: Performs complex, responsible duties requiring independent judgment in ensuring conformance with applicable laws, collective bargaining agreements, departmental policies and in responding to departmental requests. Participate in the development of management plans and programs at the town-wide level. Planning and coordination at this level regularly require coordination of activities/resources of a number of functions.

Supervision Received: The work is performed independently under the administrative direction of the Town Manager.

Supervision Given: Has direct supervisory responsibility for Human Resources Department employees. Provides general guidance to all department heads regarding matters of personnel policies and procedures. As the Town's Human Resources Director, involved in administrative tasks related to the hiring, firing and discipline of all town employees.

Job Environment:

Work is performed under typical office conditions as well as other municipal facilities

Operates computer, telephone, copier and other standard office equipment

Makes frequent contact with employees and officials, job applicants, labor counsel, consultants, insurance providers and other Town, State and Federal agencies. Contacts require considerable discretion, resourcefulness and persuasiveness to achieve desired objectives.

Has access to an extensive amount of highly confidential information on a town-wide basis such as personnel records, collective bargaining negotiations, bid proposals and pending lawsuits and investigations.

Recommended Minimum Qualifications:

Education, Training and Experience:

Graduation from an accredited four-year college or university with a degree in human resources management, or human resource certification and progressively responsible experience in human resource management required. Experience in labor relations a must.

Knowledge, Ability and Skill:

Knowledge: Maintains knowledge of personnel administration programs; insurance, safety and loss control principles; human resources trends. Practical knowledge of town management and the mandates affecting human resources in local government. Practice knowledge of administrative, managerial and supervisory practices and techniques. Thorough knowledge of the principles, practices, regulations and applicable Federal and State laws relating to personnel administration in the public sector. Thorough knowledge of position classification, compensation and benefits, recruitment, selection, training, risk management, safety practices and labor relations. Knowledge and understand of FMLA, ADA, FLSA, COBRA, Affirmative Action, EOE and HIPAA. Knowledge of legal and legislative practices in Maine.

Ability: Ability to interact in a positive and effective manner with personnel at all levels of authority. Ability to develop, implement and monitor the effectiveness of a wide range of personnel services and policies. Ability to effectively supervise employees. Ability to work effectively with confidential, sensitive information. Ability to work effectively with Town staff, leadership, local and state officials and members of the public. Ability to mediate and negotiate employee concerns and interpret and apply personnel rules, regulations, policies and laws in an impartial, consistent manner. Ability to negotiate and implement provisions of collective bargaining agreements. Ability to conduct independent research and to prepare detailed reports as necessary. Ability to analyze a variety of personnel and management issues and make sound, unbiased recommendations for their resolution. Ability to make effective presentations as needed to employees, department heads and Town Councilors. Ability to deliver and develop training presentations and/or serve as a facilitator.

Skill: Considerable interpersonal skills; good public relations skills. Skill in operating PC computer and popular applications in word processing, spreadsheet, database, presentation, internet and graphics. Negotiating Skills.

Physical Requirements:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of this job.

While performing the duties of this job, the employee is frequently required to work at a desk; regularly communicate with town employees and applicants to identify and exchange information; regularly move about inside the office to access file cabinets and office machinery; go up and down stairs. The employee must occasionally lift and/or move objects weighing up to 25 pounds, such as supplies, folders and books. Ability to operate a keyboard and calculator at efficient speed and to view computer screens for extended periods of time. Ability to discern numerical details such as pay scales. Ability to operate a motor vehicle to attend outside meetings.

(This job description does not constitute an employment agreement between the employer and the employee, and it is subject to change by the employer as the needs of the employer and requirements of the job change.)

Town of Kittery
Job Description

Position Title	Shoreland Resource Officer/Stormwater Coordinator	Date	September 2016
Department	DPW and Planning	FLSA Status	Non-Exempt
Reports to:	DPW Commissioner and Planner	Status	Full-time

Purpose of Position: The Shoreland Resource Officer/Stormwater Coordinator position is responsible for assisting Public Works and Code Enforcement Departments in meeting the various requirements of Local/State/Federal laws and educating the citizens, visitors and businesses on a range of environmental topics relating to eliminating all discharges to air, land or water that are a threat to our current and future generations of Kittery. This position reports to the Commissioner of Public Works and the Planner or designee.

Essential Functions:

The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

Provides administrative and technical work involved in all aspects of protecting the shoreland areas in Kittery with particular emphasis on shoreland zoning, wetland, watershed and environmental issues.

Assists the Code Enforcement Officer with the permitting process in the shoreland zone; assists the public with the application process; assists in reviewing submitted permit forms for accuracy of information; assists with site inspections and with zoning code interpretations.

Manages the MS4 permit planning, implementation and reporting to the Maine Department of Environmental Protection, identifying any problems early enough to allow for timely corrective actions.

Performs shoreland inspections and investigates complaints to determine compliance with codes and conditions of permit approval, and to look for code violations.

Interacts with the public in a variety of capacities, as during the permit review and inspection processes when working with Department staff to amend Town plans and codes and helping to educate people about Department-related issues.

Educates the public, Town staff and Town officials about relevant issues and requirements.

Attends and actively participates in meetings during normal working hours and at night, as necessary, to deal with issues relevant to the responsibilities of the Position and the Department. Occasional weekend work is expected for required events (i.e. Kittery Block Party, etc.).

Provides technical training to Department staff, other Town staff and Town volunteer board/committee members on issues relating to the job duties.

Continuously improves professional skills by study, membership in professional organizations, participation in seminars and conferences and contacts with officials of other similar agencies and other knowledgeable professionals.

Additional Duties and Responsibilities:

Performs other duties as assigned by the reporting departments.

Developments alternative funding sources and grant writing to assist with both environmental education and programs that improves land, air and/or water quality.

Supervision:

Supervision Scope: Performs complex, responsible duties requiring independent judgment in ensuring conformance with applicable laws.

Supervision Received: The work is performed independently under the administrative direction of the Department of Public Works Commissioner and the Planner.

Supervision Given: None

Job Environment:

Work is performed outside and inside. Outside work is subject to temperature extremes at various times of the year. Inside work is normally performed in an office environment.

Operates computer, telephone, copier and other standard office equipment

Requires the ability to interact with employees and officials, consultants, and other Town, State and Federal agencies. Contacts require considerable professionalism.

Recommended Minimum Qualifications:

Education, Training and Experience:

Associates degree in environmental science, planning or any related field required; bachelor's degree is preferred.

Prior work experience is not required; a minimum of 1 year of work experience in water quality environmental programs or code enforcement is preferred.

Have or be able to obtain within one year of starting this position municipal code officer certification from the State of Maine in Shoreland Zoning, legal and plumbing sections of code enforcement certification and any other necessary sections for minimum State certification.

Knowledge, Ability and Skill:

Knowledge: Broad knowledge of and experience with approved methods and materials used in building construction and plumbing trades.

Ability: Ability to deal with the public firmly and courteously under adverse or strained conditions. Ability to work effectively on multiple projects simultaneously. Ability to establish and maintain effective working relationships with co-workers, staff personnel, the general public and supervisors. Ability to conduct independent research and to prepare detailed reports as necessary. Sound ability to use computers effectively for general office work, including Microsoft Office Suite, internet research and e-mail. Must be able to learn and use technical software utilized by the Department, including basic GIS and permitting software.

Skill: Strong interpersonal skills, with the ability to establish and maintain effective working relationships with municipal employees, municipal officials, outside organizations and the public. Good writing and public speaking skills

Physical Requirements:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of this job.

While performing the duties of this job, the employee is frequently required to work at a desk; regularly communicate with town employees and applicants to identify and exchange information; regularly move about inside the office to access file cabinets and office machinery; go up and down stairs. The employee must occasionally lift and/or move objects weighing up to 25 pounds, such as supplies, folders and books. Ability to operate a keyboard and calculator at efficient speed and to view computer screens for extended periods of time. Ability to discern numerical details.

Mental Requirements:

Requires the ability to read a variety of professional, technical and administrative documentation, directions, regulations, instructions, methods and procedures. Regularly required to use written and oral communication skills; observe and interpret situations; read and interpret data, information and documents; analyze and solve complex problems; use math and mathematical reasoning; perform highly detailed work under changing, intensive deadlines, on multiple concurrent tasks; work with constant interruptions; and interact with staff, officials, the public and outside agencies.

(This job description does not constitute an employment agreement between the employer and the employee, and it is subject to change by the employer as the needs of the employer and requirements of the job change.)

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER:

CLASS:

DEPOSIT DATE

AMT. DEPOSITED:

BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES 10/27/16

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

☒ RESTAURANT (Class I,II,III,IV)

☐ HOTEL-OPTIONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.)			2. Business Name (D/B/A)		
KITTEN FORESIDE LLC			ANNEKE JANS		
DOB:					
DOB:					
DOB:			Location (Street Address)		
Address			60 WAWINGFORD SQUARE		
			City/Town		
60 WAWINGFORD SQUARE			KITTERY		
			State		
			ME		
			Zip Code		
			03904		
			Mailing Address		
City/Town			City/Town		
KITTERY			KITTERY		
State			State		
ME			ME		
Zip Code			Zip Code		
03904			03904		
Telephone Number			Business Telephone Number		
207-439-0001					
Fax Number			Fax Number		
Federal I.D. #			Seller Certificate #		
27-3499377			1147456		

EMAIL ADDRESS: _____

3. If premises is a hotel, indicate number of rooms available for transient guests: —

4. State amount of gross income from period of last license: ROOMS \$ — FOOD \$ 540 K LIQUOR \$ 300 K

5. Is applicant a corporation, limited liability company or limited partnership? YES ☐ NO ☒

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

7. If manager is to be employed, give name: JASON CAN77

8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

9. Business records are located at: _____

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
JASON ADAM CAN77	6/6/70	WONER, MA

Residence address on all of the above for previous 5 years (Limit answer to city & state)

KITTERY, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: _____

POVAR BEAR REALTY

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) 90 SEAT BISTRO
DINNER SEVEN NIGHTS, BAR, KITCHEN + 2 BATHROOMS

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/4 MILE Which of the above is nearest? CHURCH

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: BUSINESS LOAN - OPTIMA BANK + TRUST



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

**Supplemental Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

Date Filed: _____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:

KITTERY FORESIDE LLC

2. Other business name for your entity (DBA), if any:

ADNEKE JANS

3. Date of filing with the Secretary of State: OCT 2010

4. State in which you are formed: MAINE

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
JASON ADAM CANTY	SOUTH BERMICK, ME	6/6/70	65
SCOTT VICEK	ELIOT, ME	8/10/69	35

7. Is any principal person involved with the entity a law enforcement official?

Yes

☐

No

☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Duly Authorized Person

Date 8/24/16

JASON CANDY

Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To:

Bureau of Alcoholic Beverages and Lottery
Operations Division of Liquor Licensing Enforcement
8 State House Station Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

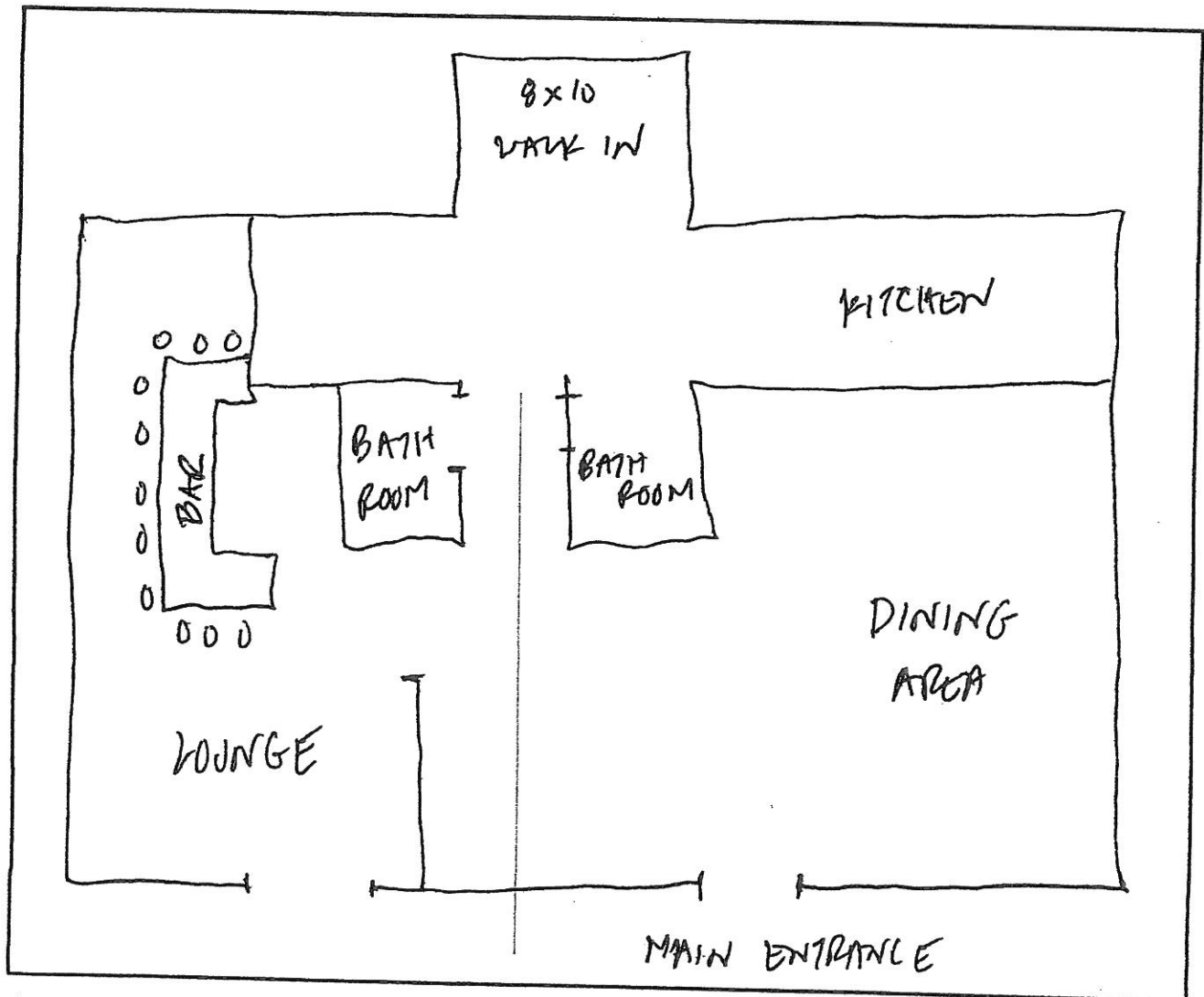


Bureau of Alcoholic Beverages
Division of Liquor Licensing & Enforcement
164 State House Station
Augusta, ME 04330-0164
Tel: (207) 624-7220 Fax: (207) 387-3424

SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: KITTERY, ME on AUGUST 24, 20 16
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

JASON CANTY
Print Name

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE..... \$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganiz territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to the **Treasurer of Maine**. This application must be completed and mail to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enforcement, 8 State House Static Augusta ME 04333-0008. Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

STATE OF MAINE

Dated at: _____, Maine _____ SS
City/Town (County)

On: _____
Date

The undersigned being: ف Municipal Officers ف County Commissioners of the
ف City ف Town ف Plantation ف Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of the application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed before or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal within 120 days of the filing of the application. [1999, c.589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

SEP 20 2016

Sept 20th, 2016

BY:-----

The Black Birch
2 Government St.
Kittery, ME 03904
(207) 703-2294

RE: Extension of premises for October 23rd between the hours of 3pm and 10pm

To Whom It May Concern,

The Black Birch, 2 Government St. Unit A Kittery, ME 03904 would like to extend our area of service to include BUOY Gallery, 2 Government St. Unit B Kittery, ME 03904 on the 23rd of October, 2016. This date coincides with the FUEL & MORE, PO Box 754 Kittery, ME 03904, a local 501c(3) nonprofit's annual fundraiser. The Black Birch and BUOY agreed to host the event, donating both of our spaces for the organization. We would like the extension to cover from 12pm through 10pm to include adequate opportunity to set up and breakdown. The Fuel and More Fundraiser will run from 4-8 in both the BUOY Gallery and the Black Birch restaurant. Food will be served.

The gallery is adjacent to the restaurant, and the spaces are connected by a common area hallway off of which the restrooms are located. Entrance and egress for the public will be either the gallery front door or the main entrance of the restaurant. Fuel and More has volunteers to assist guests arriving at the event. I have attached a drawing to illustrate our intended use.

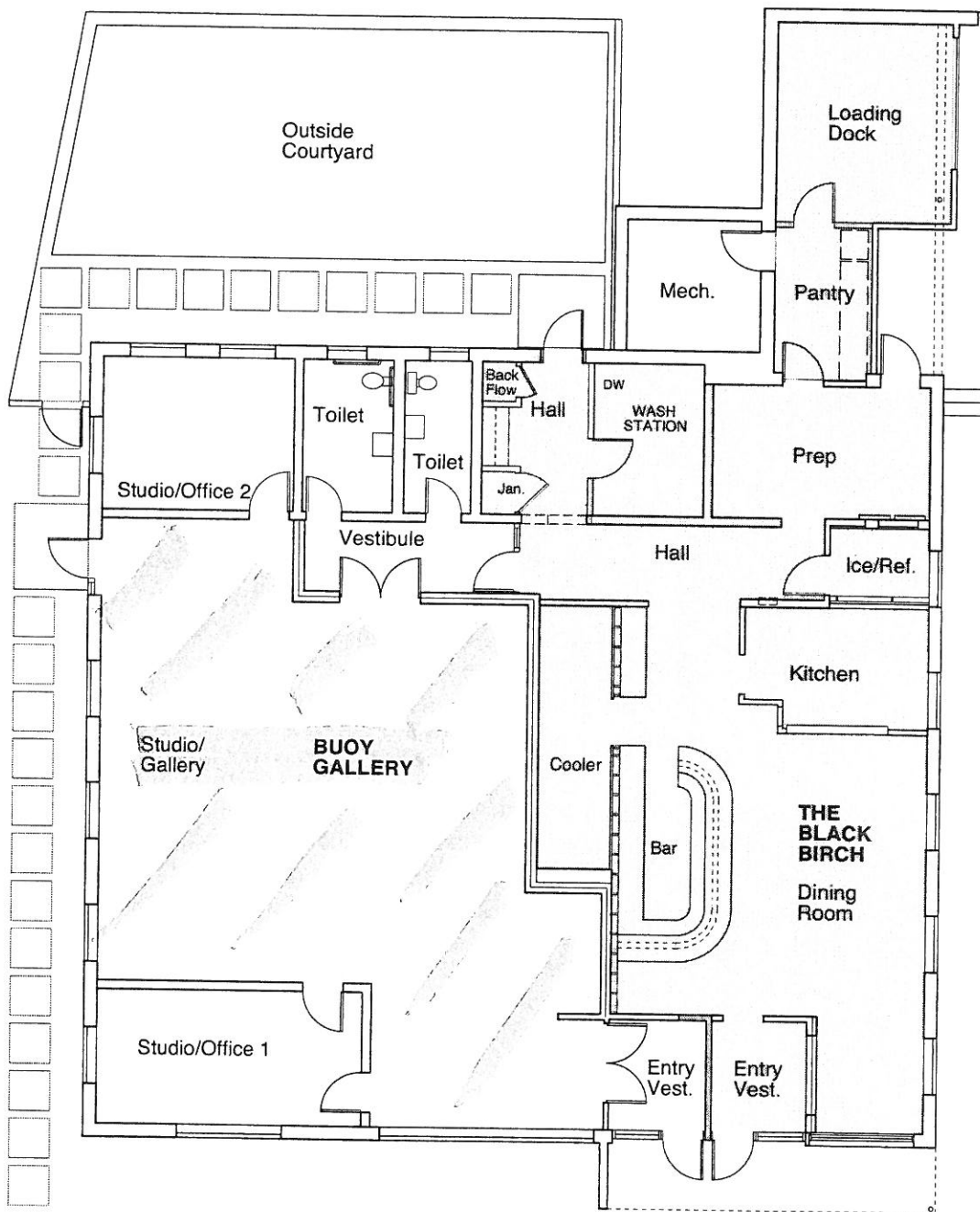
Thank you for your consideration.

Sincerely,

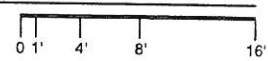


Benjamin Lord

The Black Birch
207-703-2294
eat@theblackbirch.com
2 Government St.
Kittery, ME



FLOOR PLAN
 2 Government Street



September 20, 2016

To:

Town of Kittery

Re: Fuel & More Benefit October 23rd, 2016

To who it may concern,

We are donating the use of the gallery space for the benefit of Fuel and More event on October 23rd, 2016.

Sincerely,

Two handwritten signatures are present. The first signature, on the left, is 'Lucinda Schlaffer' written in a cursive script. The second signature, on the right, is 'Paul Bonacci' also in a cursive script.

Lucinda Schlaffer/ Paul Bonacci

Studio Verte/ Buoy Gallery

2 Government Street

Kittery, ME 03904



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806

RECEIVED
SEP 12 2016

BY: 5:20 PM

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: GEORGE VANCE DOW IV
RESIDENCE: 1 BARNETT ROAD, KITTERY B. ME 03905
MAILING (if different) _____

E-MAIL ADDRESS: jvdconsult@gmail.com PHONE #: (Home) 439-1866 (Work) 643-339-8468
VER

Please check your choice:

- ☐ Board of Appeals
- ☐ Conservation Commission
- ☐ Comprehensive Plan Update Committee
- ☐ Education Scholarship Committee
- ☒ Parks Commission
- ☐ Port Authority
- ☐ Personnel Board

- ☐ Board of Assessment Review
- ☐ Mary Safford Wildes Trust
- ☐ Shellfish Conservation Committee
- ☐ Economic Development Committee
- ☐ Open Space Committee
- ☐ Planning Board
- ☐ Other _____

EDUCATION/TRAINING: MBA Finance, Certified Treasurer, Professional

RELATED EXPERIENCE (Including other Boards and Commissions) _____

Former Town Council, Current EDL Chair, RPA Board
Member (Current)

PRESENT EMPLOYMENT: TD BANK

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST (please read back of application): NONE

REASON FOR APPLICATION TO THIS BOARD: To Assist in Managing & Preserving
Kittery Parks

I HAVE ✓/HAVE NOT ✓ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

ONLY ATTEND 9/8/16
MOB.

Please read the back of this application before signing.

George V Dow IV
SIGNATURE OF APPLICANT

9/11/16
DATE



Council Members
Town of Kittery
200 Rogers Road
Kittery, Maine 03904

September 14, 2016

Dear Council Members:

On Sunday October 23, 2016 from 4:00 – 8:00 p.m. we are holding a special event at the Black Birch Restaurant and Buoy Gallery, "Foreside for Fuel", to raise funds and awareness of Kittery's Fuel & More program.

The Black Birch has again enthusiastically come forward as our host and major sponsor for our evening event.

In addition, many of our local restaurants, especially those in the Foreside, have already voiced their willingness to donate food and we have contracted with a local band, The Chris Klaxton Group, to provide musical entertainment.

We are requesting your approval to hang a banner across Rogers Road from September 26th through October 23rd. The banner will be of similar dimensions as our banner from last year.

Please let me know if you have any questions or concerns. I can be reached by cell: 603-498-1569 or via email: lbrowning@mortgagenetwork.com.

We are very excited about the potential success of this event and hope you will all plan to join us.

Kind regards,

Linda J. Browning, President
Fuel & More

Cc: Maryann Place, Town Clerk

HELPING KITTERY FAMILIES STAY WARM

207-703-8288

www.fuelandmore.org PO Box 754, Kittery, ME 03904

Fuel & More is a 501(c)(3) volunteer-run nonprofit.

Maryann Place

From: Shannon Roberts [roberts.msaknmk@gmail.com]
Sent: Thursday, September 01, 2016 4:32 AM
To: Maryann Place
Subject: Traip Athletic Boosters Craft Fair Banner and Roadside signs

Hello!

It's that time of year again!

I am reaching out to get permission from the town to hang our banner and roadside signs advertising the 8th Annual Traip Athletic Boosters Craft Fair which benefits the Pamela Hoyt Sanborn Memorial Scholarship Fund.

We are looking to have the banner up in front of the KCC from 11/1/16-11/12/16 and the roadside signs to be placed around town from 10/31/16-11/12/16.

If you could let me know the date this request will be heard, I will be sure to be in attendance.

Thank you again for considering,

Shannon Roberts

Sent from Mail for Windows 10

**TOWN OF KITTERY
WARRANT FOR MUNICIPAL ELECTION**

COUNTY OF YORK, SS

STATE OF MAINE

To James Soucy, a constable (or resident) of this municipality:

You are hereby required in the name of the State of Maine to notify the voters of the Town of Kittery of the election described in this warrant:

TO THE VOTERS OF THE TOWN OF KITTERY:

You are hereby notified that the **MUNICIPAL ELECTION** in this municipality will be held at the **KITTERY COMMUNITY CENTER**, 120 Rogers Road, on **NOVEMBER 8, 2016**, to determine the following:

To elect two members to the Town Council for three year terms.

To elect three members to the School Committee for three year terms.

The polls shall be opened at 7:00 a.m. and closed at 8:00 p.m.

Absentee ballots will be processed centrally at 8:00 a.m., 9:00 a.m., 10:00 a.m., 11:00 a.m., 12:00 p.m., 1:00 p.m., 2:00 p.m., 3:00 p.m., 4:00 p.m., 5:00 p.m., 6:00 p.m., 7:00 p.m., and 8:00 p.m.

The Registrar of Voters will hold office hours while the polls are open to correct any error, or change a name or address on the voting list; to accept the registration of any person who becomes 18 years of age on Election Day or after the close of registration prior to it; and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Dated at Kittery this 26th day of September, 2016.

A true copy

ATTEST: _____
TOWN CLERK

MUNICIPAL OFFICERS

OFFICER'S RETURN

YORK COUNTY, SS

STATE OF MAINE

I certify that I have notified the voters of Kittery of the time and place for the Municipal Election, by posting an attested copy of the within warrant at the KITTERY POST OFFICE, KITTERY POINT POST OFFICE, MUNICIPAL OFFICE AND THE KITTERY RESOURCE RECOVERY FACILITY, within Kittery on _____, 2016, which is at least seven (7) days next prior to election day.

Dated at Kittery on _____, 2016.

Constable of Kittery